

Camp No. 91, Spanish-American War Veterans, of Philadelphia, Pa., favoring the passage of a bill equalizing the allowance and pay of the chaplains in the Army and Navy—to the Committee on Naval Affairs.

By Mr. GIBSON: Petition of James Donohoo for restoration of his name to the pension roll—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Petitions of Peter Egli, Henry W. A. Wimberg, and others, favoring House bill 178—to the Committee on Ways and Means.

By Mr. SCARBOROUGH: Petition of the Chamber of Commerce of Columbia, S. C., for survey of water route for river navigation from the inland to Charleston, S. C., by way of the Santee and Cooper rivers—to the Committee on Rivers and Harbors.

By Mr. HENRY C. SMITH: Papers to accompany House bill for the relief of Anna Wendell Miller—to the Committee on Private Land Claims.

By Mr. SPERRY: Resolutions of Typographical Union No. 47, of New Haven, Conn., for the repeal of the desert-land law—to the Committee on the Public Lands.

By Mr. STEWART of New York: Petition of Cigar Makers' Union No. 112, of Oneonta, N. Y., favoring House bill 16457, relating to gifts in connection with the sale of tobacco and cigars—to the Committee on Ways and Means.

By Mr. YOUNG: Petition of the Maritime Association of the Port of New York, asking that sail vessels be exempted from the compulsory employment of State pilots under the safeguards required in respect to steam vessels—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Sunday-school board of the Reformed Church of Philadelphia, Pa., in favor of the post-check currency bills—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Brotherhood of Railroad Trainmen of Pennsylvania, urging the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petition of Grand Council, Royal Arcanum, of Pennsylvania, favoring an amendment to the Post-Office appropriation bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Mount Moriah Lodge, No. 319, Brotherhood of Locomotive Firemen, Philadelphia, Pa., in favor of the passage of the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

## SENATE.

WEDNESDAY, February 18, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. The Chair hears none.

### POTOMAC RIVER FLATS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting the final report of the supreme court of the District of Columbia under section 4 of the act of August 5, 1886, entitled "An act to provide for protecting the interests of the United States in the Potomac River Flats in the District of Columbia," together with a letter sent to the Secretary of the Treasury suggesting the form of a proposed appropriation for the payment of amounts found due the defendants by the court; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### LIST OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, inclosing a copy of Senate Document No. 414, Fifty-seventh Congress, first session, containing a list of claims certified by the accounting officers of the Treasury Department in favor of certain insurance companies of New York, for which no provision for payment has been made; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15804) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1904, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed

Mr. SHERMAN, Mr. CURTIS, and Mr. LITTLE managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 16734) to provide an American register for the steamer *Beaumont*; in which it requested the concurrence of the Senate.

### PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented the memorial of Mary L. Page, of Olympia, Wash., and the memorial of Benjamin Currey and sundry other citizens of Olympia, Wash., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.

Mr. BEVERIDGE presented a petition of Local Division No. 186, Amalgamated Association of Street Railway Employees, of Anderson, Ind., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. GAMBLE presented the petition of Rev. H. H. Hewitt, of Elkton, S. Dak., praying for the enactment of legislation to recognize and promote the efficiency of chaplains in the Army; which was referred to the Committee on Military Affairs.

He also presented the petition of H. C. Sessions & Son, of Sioux Falls, S. Dak., praying for the adoption of certain amendments to the Post-Office appropriation bill relative to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER presented memorials of Charles Lerchen, of Denver, Colo.; of the Humane Society of Denver, Colo., and of the American Society for the Prevention of Cruelty to Animals, of New York City, N. Y., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.

Mr. BATE presented the petition of Anna H. Allen, of Davidson County, Tenn., praying that she be reimbursed for certain property used and occupied by the Army during the war of the rebellion; which was referred to the Committee on Claims.

Mr. CARMACK presented a petition of sundry citizens of Kenton, Tenn., praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which was referred to the Committee on Interstate Commerce.

Mr. FAIRBANKS presented a petition of W. H. Paige & Co. and 10 other citizens of Terre Haute, Ind., praying for the passage of the so-called immigration bill; which was ordered to lie on the table.

He also presented a petition of Local Lodge No. 218, International Association of Machinists, of South Bend, Ind., and a petition of Local Division No. 186, Amalgamated Association of Street Railway Employees, of Anderson, Ind., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented a petition of the American Chemical Company, of Indianapolis, Ind., praying for the enactment of legislation to amend the internal-revenue laws so as to reduce the tax on distilled spirits; which was ordered to lie on the table.

He also presented a petition of William Hugo Lodge, No. 166, Brotherhood of Locomotive Firemen, of Huntington, Ind., praying for the enactment of legislation relative to the running of engines on railway trains; which was referred to the Committee on Railroads.

He also presented petitions of J. Crouch & Son, of Lafayette; of J. Shannon Nave, of Attica; of Hanley & Weaver, of Winamac, and of H. & H. Wolf, of Wabash, all in the State of Indiana, praying for the enactment of legislation to regulate the importation of breeding animals; which were ordered to lie on the table.

He also presented a petition of the Franklin County Bar Association, of Columbus, Ohio, praying for the establishment of a laboratory for the study of the criminal, pauper, and defective classes; which was ordered to lie on the table.

He also presented the petition of J. P. Goodhart & Co., of Cincinnati, Ohio, praying for the enactment of legislation providing for the issuance and circulation of national-bank notes; which was ordered to lie on the table.

He also presented a memorial of the health committee of the Woman's Municipal League, of New York City, N. Y., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which was referred to the Committee on Interstate Commerce.

### REPORTS OF COMMITTEES.

Mr. CULLOM, from the Committee on Foreign Relations, reported an amendment proposing to appropriate \$12.50 to pay the estate of Solomon Hirsch, deceased, late United States minister to Turkey, for contingent expenses, foreign missions; \$63.65 for salaries of diplomatic officers while receiving instructions and in

transit, 1898, and \$7.04 for steam launch for legation at Constantinople, 1892, intended to be proposed to the sundry civil appropriation bill, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15842) granting a pension to Mary H. Talcott;  
A bill (H. R. 13881) granting a pension to William M. Wilson;  
A bill (H. R. 15362) granting an increase of pension to Grace Harrington;  
A bill (H. R. 15038) granting an increase of pension to Lucy T. Churchill;

A bill (H. R. 12090) granting a pension to Arvilla N. Stocker;  
A bill (H. R. 6442) granting an increase of pension to Sarah E. Gifford;

A bill (H. R. 15440) granting an increase of pension to John Fullerton; and

A bill (H. R. 17298) granting an increase of pension to Clara E. Smith.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely.

A bill (H. R. 1624) granting a pension to James Allen; and  
A bill (H. R. 8573) granting a pension to William McDaniel.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 7244) granting an increase of pension to Mary Lucetta Arnold, reported it with an amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14758) granting an increase of pension to Mary A. Talbott;

A bill (H. R. 15533) granting an increase of pension to William H. France;

A bill (H. R. 17305) granting a pension to Philander H. Graves;  
A bill (H. R. 6969) granting a pension to Visa C. Morrill; and  
A bill (H. R. 14788) granting an increase of pension to Frank E. Hills.

Mr. FOSTER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14091) granting a pension to Charles A. Warrick;  
A bill (H. R. 14235) granting an increase of pension to George White; and

A bill (H. R. 15186) granting an increase of pension to Isaac J. Nichols.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8314) granting an increase of pension to Joseph A. Kauffman;

A bill (H. R. 2913) granting a pension to Catharine A. Sawdy; and

A bill (H. R. 2911) granting a pension to Charles M. Walker.

Mr. GALLINGER, from the Committee on the District of Columbia, reported a bill (S. 7369) to authorize street railway companies in the District of Columbia to convey small freight, express matter, and so forth; which was read twice by its title.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER. I move that the bill (S. 6093) to authorize street-railway companies in the District of Columbia to convey small freight, express matter, etc., being Order of Business 2587 on the Calendar, be indefinitely postponed, and that the bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (H. R. 8085) granting an increase of pension to David K. Wardwell, reported it without amendment, and submitted a report thereon.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15528) granting an increase of pension to John C. Williams; and

A bill (H. R. 17179) granting an increase of pension to Christopher G. Divers.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (H. R. 11958) granting a pension to Henry H. Windes, reported it with an amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16857) granting an increase of pension to Oliver W. Kile;

A bill (H. R. 13046) granting an increase of pension to Joseph H. Ludlum;

A bill (H. R. 15696) granting an increase of pension to Milton D. Wells;

A bill (H. R. 15735) granting an increase of pension to John H. Wheeler; and

A bill (H. R. 14263) granting an increase of pension to Frederick Journal.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11122) granting an increase of pension to John W. Copley; and

A bill (H. R. 10922) granting an increase of pension to Joseph Feldhausen.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 3503) granting an increase of pension to Edward H. Brady, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (H. R. 9799) granting an increase of pension to Mary Murphy; and

A bill (H. R. 5010) granting an increase of pension to James W. Pace.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (H. R. 13711) granting a pension to Simon M. Yates, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Claims, to whom was referred the bill (H. R. 1488) for the relief of T. A. Woodress, reported it without amendment.

He also, from the same committee, to whom was referred the amendment submitted by Mr. NELSON on the 14th instant, proposing to appropriate \$4,926.67 for payment to the owners of the Norwegian steamship *Nicaragua* for damage by reason of the rescue of an American citizen and the consequent quarantine of the ship at Mobile, Ala., intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. MORGAN. I will inquire whether the Senator from Illinois [Mr. CULLOM], the chairman of the Committee on Foreign Relations, has made a report on Senate joint resolution 163?

The PRESIDENT pro tempore. That report has not been made.

Mr. MORGAN. Mr. President, I rise to a parliamentary inquiry.

Mr. CULLOM. I was a little in doubt whether the joint resolution should be reported in open or executive session, but I will report it in legislative session. I report the joint resolution adversely from the Committee on Foreign Relations.

The PRESIDENT pro tempore. The joint resolution will be stated.

The SECRETARY. A joint resolution (S. R. 163) to preserve and enforce the act approved June 28, 1902, entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans."

Mr. MORGAN. I desire to file a minority report upon the joint resolution. I have not yet prepared it.

The PRESIDENT pro tempore. The Senator from Alabama desires to have the joint resolution go to the Calendar instead of being indefinitely postponed?

Mr. MORGAN. Yes.

The PRESIDENT pro tempore. The joint resolution will be placed on the Calendar with the adverse report, and the Senator from Alabama will later on file views of the minority.

Mr. MASON, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 16990) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1904, and for other purposes, reported it with amendments.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1257) granting an increase of pension to James F. Campbell;

A bill (H. R. 17303) granting an increase of pension to Abraham W. Huffman;

A bill (H. R. 12611) granting a pension to Alexander J. Thomson; and



A bill (H. R. 1238) granting a pension to Margaret A. Stuart. Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 7247) for the relief of certain homestead settlers in the State of Alabama on lands which have been recovered or which may hereafter be recovered in the courts by the grantees of certain railroad companies of that State, reported it with an amendment.

Mr. ELKINS, from the Committee on Commerce, reported an amendment proposing to appropriate \$90,000 for constructing, equipping, and outfitting, complete for service, a first-class steel steam light vessel with steam fog signal at Healds Bank light vessel, Texas, intended to be proposed to the sundry civil appropriation bill, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

#### RECEIPTS AND EXPENDITURES IN CUBA.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PLATT of Connecticut on the 13th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 2,000 copies of the report of the War Department on the receipts and expenditures in Cuba during its occupation by the United States; 1,000 copies for the use of the House of Representatives, 750 copies for the use of the Senate, and 250 copies for the use of the War Department.

#### CIVIL ORDERS IN CUBA.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PLATT of Connecticut on the 13th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed in English and Spanish 1,700 copies of the civil orders issued during the occupation of Cuba by the United States; 1,000 copies for the use of the House of Representatives, 500 copies for the use of the Senate, and 200 copies for the use of the War Department.

#### CUBAN CONSTITUTIONAL CONVENTION.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PLATT of Connecticut on the 13th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 3,000 copies of the English translation of the proceedings of the Cuban constitutional convention; 1,700 copies for the use of the House of Representatives, 1,200 copies for the use of the Senate, and 100 copies for the use of the War Department.

#### EMPLOYEES AT MALTBY BUILDING.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. GALLINGER on the 11th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved.* That the engineer at the Maltby Building be paid at the rate of \$1,440 per annum and the three firemen at the rate of \$1,000 each per annum; and that the Sergeant-at-Arms of the Senate be, and he hereby is, authorized and directed to appoint a skilled laborer at the rate of \$800 per annum; the above changes to take effect on the 1st day of July, 1903.

#### MESSANGER FOR COMMITTEE ON COMMERCE.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PERKINS on the 10th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved.* That the Committee on Commerce be, and it is hereby, authorized to employ a messenger, at an annual salary of \$1,440, to be paid from the contingent fund of the Senate until otherwise provided for by law.

#### DESTRUCTION OF USELESS INVOICES.

Mr. CULLOM. I am directed by the Committee on Foreign Relations to report a short bill authorizing the Secretary of State to destroy certain invoices, and I ask to have it immediately considered.

The bill (S. 7363) to permit the Secretary of State to cause the destruction of invoices of merchandise exported to the United States which have been on file in the consular offices for more than five years was read the first time by its title, and the second time at length, as follows:

*Be it enacted, etc.,* That the Secretary of State is authorized to cause, from time to time, the destruction of invoices that have been filed in the consular offices for a period of more than five years.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BANK OF COLFAX, IOWA.

Mr. STEWART. I am instructed by the Committee on Claims, to whom was referred the bill (H. R. 13257) to refund penalty to the Bank of Colfax, Iowa, to report it favorably without amendment and recommend its passage. It is a perfectly just measure and involves only \$75. I ask for its present consideration.

The Secretary read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to refund to the Bank of Colfax, Iowa, the sum of \$75, penalty collected by reason of delay in the receipt of special tax.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. LODGE. I desire to say that I shall make no objection to this bill, as it has been read, but I shall object to any other interruption of the routine morning business.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FORT SMITH RESERVATION LANDS.

Mr. BACON. I am instructed by the Committee on the Judiciary, to whom was referred the bill (H. R. 15595) confirming and ceding jurisdiction to the State of Arkansas over certain lands formerly in the Fort Smith Reservation in said State, and asserting and retaining Federal jurisdiction over certain other lands in said reservation, to report it without amendment, and I ask for its present consideration.

Mr. LODGE. I object to unanimous consent until the morning business is concluded.

The PRESIDENT pro tempore. Objection is made.

#### ESTATE OF SOLOMON HIRSCH, DECEASED.

Mr. BURTON. Yesterday I submitted for the Senator from Oregon [Mr. MITCHELL] an amendment proposing to make a payment to the estate of Solomon Hirsch, deceased, intended to be proposed to the sundry civil appropriation bill, and it was referred to the Committee on Appropriations. I find, upon inquiry, that it should have gone to the Committee on Foreign Relations. Therefore I ask that that change of reference be made.

Mr. CULLOM. I will state to the Senator from Kansas that the same amendment was acted upon by the Committee on Foreign Relations this morning, and it has been favorably reported by me and referred to the Committee on Appropriations.

Mr. BURTON. Very well.

#### JOHN S. WHITLEGE.

Mr. DEBOE. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 1605) granting a pension to John S. Whitlege, to report it favorably without amendment, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Whitlege, late of Company F, Twenty-eighth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. BURROWS introduced a bill (S. 7364) to pay to certain Pottawatomie Indians of Michigan unpaid annuities under treaties made with them; which was read twice by its title, and, with the accompanying memorial, which was ordered to be printed, referred to the Committee on Indian Affairs.

Mr. GAMBLE introduced a bill (S. 7365) for the relief of Levi Carnrike; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PENROSE introduced a bill (S. 7366) for the relief of Charles H. Stockley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 7367) authorizing the Secretary of War to issue a certificate of muster to Adolph F. Hitchler; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 7368) to incorporate the American National Institute (Prix de Paris) at Paris, France; which was read twice by its title, and, with the accompanying paper, which was ordered to be printed, referred to the Committee on Foreign Relations.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. BURROWS submitted an amendment proposing to appropriate \$125,000 for Rock of Ages light and fog-signal station, Lake Superior, Michigan, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate

\$75,000 for a light-house tender for St. Marys River, Michigan; \$25,000 for Middle Island light and fog-signal station, Lake Huron, Michigan, and \$54,100 for repairs and reconstruction of Spectacle Reef light station, Lake Huron, Michigan, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TILLMAN submitted an amendment proposing to appropriate \$50,000 for the construction of a new Freedmen's Hospital building and accessories on the ground now occupied by the Freedmen's Hospital, in the District of Columbia, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HARRIS submitted an amendment proposing to appropriate an additional \$600 for completion of chaplain's quarters, \$5,000 additional for combination barracks, and \$1,600 additional for headquarters building, all at the Western Branch of the National Home for Disabled Volunteer Soldiers, at Leavenworth, Kans., said sums to be immediately available, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment relative to the adjustment and settlement of the accounts of the Alaska Commercial Company, the North American Transportation and Trading Company, and the Alaska Exploration Company for supplies furnished and services rendered natives of Alaska during an epidemic of disease over that country in 1900, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate \$74.40 to pay Sidney L. Griffin for leave of absence earned during his term of service at the Government Printing Office from December 7, 1891, to May 19, 1894, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Printing.

He also submitted an amendment authorizing the appointment of William Crawford, of Philadelphia, Pa., as an assistant engineer with the rank of lieutenant, junior grade, on the retired list of the Navy, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. HALE submitted an amendment proposing to appropriate \$100,000 for necessary expenditures incident to the occupation and utilization of the naval station at Guantanamo, Cuba, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$25 for cost of repairing injuries to dwelling house of E. M. Ferguson by reason of mortar practice at Fort H. G. Wright, N. Y., on August 23, 1902; and \$3,806.72 for damages to private property by gun firing and mortar practice at Fort Preble, Me., Fort Winthrop, Mass., and Fort Hamilton, N. Y., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. CULLOM (for Mr. PROCTOR) submitted an amendment proposing to appropriate \$135,000 for the purchase of land for the enlargement of the military post at Fort Totten, at Willets Point, Long Island, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment proposing to appropriate \$120,000 for the establishment of a military post at or near Indianapolis, Ind., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CULBERSON submitted an amendment proposing to appropriate \$90,000 for establishing a light vessel at Healds Bank off Galveston Harbor, Texas, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MCCOMAS submitted an amendment proposing to increase the appropriation for the purchase or construction of two launches for use at the fish-cultural stations at Gloucester, Mass., and Battery Island, Maryland, from \$2,000 to \$4,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$5,000 for the erection of an addition to the quarters now occupied by the subtreasury at Baltimore, Md., etc., intended to be proposed by him to the sundry civil appropriation bill; which

was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$3,303.09, the amount found to be due the Chesapeake Bank, of Baltimore, Md., by the Commissioner of Internal Revenue, under the act of Congress approved February 28, 1901, for taxes illegally paid, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. PETTUS submitted an amendment proposing to extend the time fixed in section 6 of the act of Congress approved March 3, 1899, relative to the reimbursement to the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the war with Spain, to January 1, 1905, and also authorizing the accounting officers of the Treasury Department, on application of the governor or other duly authorized officer or agent of the State or Territory made on or before the 1st day of January, 1905, to reconsider and audit anew any claim or item of a claim heretofore presented to the Treasury Department under the provisions of the act approved July 8, 1898, providing for the reimbursement to the States and Territories for expenses incurred in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the war with Spain, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McLAURIN of Mississippi submitted an amendment proposing to appropriate \$50,000 to enable the Secretary of War, through the commissioners of the Shiloh National Military Park, to construct a gravel road from that park to the city of Corinth, Miss., etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### PUBLIC BUILDINGS.

Mr. KEAN submitted an amendment intended to be proposed by him to the bill (H. R. 17422) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. MCCOMAS submitted an amendment intended to be proposed by him to the bill (H. R. 17422) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

#### GOVERNMENT OF THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That 500 copies of the document on the establishment and government of the District of Columbia be printed for the use of the Senate Committee on the District of Columbia.

Mr. COCKRELL. Will the cost exceed the limit of \$500?

Mr. GALLINGER. It will cost a small amount, I will say to the Senator. The plates are at the Printing Office.

The resolution was considered by unanimous consent, and agreed to.

#### STATEHOOD BILL.

Mr. QUAY. I submit a resolution and ask for its immediate consideration.

The resolution was read, as follows:

Whereas House bill 12543, to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States, has been under discussion in the Senate since the 10th day of December last, and must fail unless voted upon at an early date:

*Resolved*, That it is the sense of the Senate that by unanimous consent a date and hour prior to the 2d of March next should be fixed for a final vote upon the bill and all amendments that are pending or may be offered thereto.

Mr. ALDRICH. Let the resolution go over under the rule.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

#### ELMER E. FORESHAY.

Mr. CULLOM. Mr. President—

The PRESIDENT pro tempore. The Chair lays before the Senate—

Mr. QUAY. Mr. President, I ask the Chair to lay before the Senate the resolution I offered yesterday.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.



The Secretary read the resolution submitted on the 16th instant by Mr. DUBOIS, as follows:

*Resolved by the Senate of the United States of America in Congress assembled, That the Civil Service Commission is hereby directed to furnish to the United States Senate a statement of the charges and evidence on account of which Elmer E. Foreshay was dismissed from the surveyor-general's office of Idaho. Also, whether under the ruling of the civil service he is eligible to any other position in the Government service.*

#### STATEHOOD BILL.

The PRESIDENT pro tempore. The Chair will withdraw for the present the resolution which has just been read, and lay before the Senate the resolution submitted by the Senator from Pennsylvania [Mr. QUAY], coming over from yesterday.

The resolution submitted yesterday by Mr. QUAY was read, as follows:

Whereas the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States has been under discussion in the Senate since the 10th day of December last, and must fall unless voted upon at an early date:

*Resolved, That it is the sense of the Senate that by unanimous consent a date and hour prior to the 2d of March next should be fixed for a final vote upon the bill and all amendments that are pending or may be offered thereto.*

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

Mr. SPOONER. Mr. President, I doubt very much if Senators who examine carefully the resolution which was introduced a day or two ago, or this resolution, will care to vote for it. The resolution introduced yesterday or day before yesterday is really a resolution inviting a majority of the Senate to vote for a cloture rule. The Senator from Pennsylvania disclaims that purpose, but it is impossible for him to escape the conclusion that that would be its effect.

Why is it that the Senator, with a majority of the Senate back of him, as he claims (and I think the Senator is not likely to be mistaken in his opinion as to whether he has a majority back of him in the Senate or anywhere else), can not bring or has not been able to bring this bill to a vote? It is because under the rules of the Senate a single objection can prevent a vote as long as there is a desire on the part of members of the Senate to debate the bill. Now, that may be an unhappy situation. Some Senators think it is. Other Senators think in the long run and taking it by and large it is not. I am one of the latter.

The Senator's proposition was that a majority of the Senate should say that a day ought to be fixed before the end of this Congress for taking this vote. That could only be done by a change of the rules.

Mr. QUAY. By unanimous consent.

Mr. SPOONER. That could only be done by a change of the rules.

Mr. QUAY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield?

Mr. SPOONER. Yes; I yield.

Mr. QUAY. I desire to say that I stated distinctly at the time that there was no intention of pushing a cloture upon the resolution; that the only method by which a vote could be reached was by unanimous consent. I stated that yesterday, and I amended the resolution to meet the objection of the Senator from Wisconsin, and it is that resolution which is now before the Senate.

Mr. SPOONER. I am discussing the other resolution.

Mr. QUAY. I suggest to the Senator that he had better discuss the one now pending.

Mr. SPOONER. I discuss what I choose, when I have the floor, without the consent of the Senator from Pennsylvania.

Mr. QUAY. All right; the Senator can discuss what he pleases.

Mr. SPOONER. I will not be told what I had better discuss.

Mr. QUAY. Then the Senator will accomplish no purpose.

Mr. SPOONER. I will accomplish what I want to accomplish, and I will not be long about it, either, for I am not speaking for the purpose of obstruction.

No matter what the Senator intended by his resolution, we are to judge by the resolution itself what is involved in it. He asked the Senate by a majority vote to declare that a time should be fixed before the end of this session for taking a vote. That could not possibly be done without a change of the rule. It would involve, of course, a cloture; and it amounted to a proposition that in the judgment of a majority of the Senate there should be a cloture.

There was a time when I was in favor of a cloture. I have been a member of this body now for twelve years. I have been very constant in my attendance upon its sessions; I have been somewhat active in all controverted matters which have been before the Senate. I have seen times when members of this body, impelled, not by partisanship, but only by the strongest possible motives of conscience, felt constrained to resist the passage of measures which they thought were unconstitutional, or which they thought, if constitutional and passed, would be subversive of great public interests.

I am frank to admit that years ago, when I was first a member of the Senate and a struggle of that kind came, I was very restive under it. I thought that a minority ought not to be able to obstruct the passage of legislation.

But, Mr. President, I do not believe there is any legislative body in this world which accomplishes as much in a deliberate, thoughtful, and careful way as the Senate accomplishes under its existing rules. The very freedom which is accorded to Senators here assures debate, which would not occur if we had a previous question. There would of necessity be an exclusion of many from debate.

I have often seen in the newspapers and I have often heard it said that debate is of no effect in this body. That is not true. I appeal to every Senator here if the contrary is not true, as is shown at every session repeatedly upon full debate, because Senators desire here to get at the right. Sometimes we are constrained by political prejudice and more or less of partisanship where proposed legislation may have a political phase, but in the matters of legislation almost universally debate in this body has had great weight, and many members have risen and acknowledged a change of view because of a discussion which has taken place. It would be quite absurd to have it understood that debate is of no consequence here.

This power to stop the hasty passage of bills by a single objection in the afternoon sometimes when we take up the Calendar has been of infinite benefit to the country. We rely largely upon committees. Sometimes the committees act hastily and imprudently—all the committees. Sometimes bills are reported along toward the end of the session by a poll of the members of the committee, and it has often happened that objection to a bill has delayed it for an hour until the Senator in charge could explain it; and it has often happened the delay brought about a conference which disclosed a defect in the bill which was remedied by amendment.

It is true that when a bill is objected to by a single Senator it is possible, under the rules, to move to proceed to its consideration. I appeal to Senators that that rarely becomes necessary, and by common consent, as a rule, when a measure is objected to it goes over for examination, and that delay seldom fails to be useful.

For one I have become convinced that under the rules of the Senate as they are, the interest of the public, of the whole country, is better subserved than it would be had we a cloture.

Now, this proposition has been amended, admitting by the amendment the justice of the criticism which was made upon the other resolution. What does it call upon the Senate to do? It calls upon the Senate practically to put a vote of censure upon those gentlemen who are members of this body who happen to be conscientiously opposed to this measure as it stands. Is a majority of the Senate prepared to do that? Is not that a novel proposition?

Recurring to what occurred in a former term, I remember when Senators on the other side of the Chamber, and some upon this side, were unwilling to permit what was called the force bill to come to a vote. I favored the force bill, as it was misnamed, for as we amended it in our committee there was nothing in it which justified that characterization of it. There was a majority in the Senate, I believed then and believe now, in favor of that bill. I never doubted for one moment the sincerity of gentlemen on the other side in their opposition to it, nor did I challenge their sincerity in the belief that they wrought a patriotic purpose in refusing to permit us to pass it.

If at that time some one on this side had introduced such a resolution resolving that it is the sense of the Senate that by unanimous consent a day and hour prior to the 2d of March next should be fixed for a final vote on the Federal election bill and all amendments thereto, what would have been thought about it on the other side? A vote of censure by a majority here upon any man who saw fit to exercise the right which the rules give him to object to a vote; an impeachment by a majority of the Senate because they happen to differ with a large and conscientious minority upon the merits of the measure; an impeachment almost of the motives of any man who rises here under the rules, as he has a right to do, to object.

Mr. HOAR. Mr. President, may I make one suggestion to my honorable friend?

Mr. SPOONER. I am always glad to get a suggestion from the Senator.

Mr. HOAR. It is one of fact. I would not presume, of course, to suggest anything to the Senator by way of argument. I had the charge of that bill, the election bill, which had no more of an element of force in it than the taking of a census has.

Mr. SPOONER. That is right.

Mr. HOAR. But I am satisfied, I think I know, that if there had been a vote when the bill first came up it would have had a

majority of the Senate. However, in the progress of the discussion—

Mr. BACON. Mr. President, we can not hear the Senator on this side.

Mr. HOAR. If there had been a vote—

Mr. TELLER. Mr. President, can we not have a little order? We can not hear the Senator in this part of the Chamber.

The PRESIDENT pro tempore. The Senator from Massachusetts will suspend until order is restored. Senators will resume their seats.

Mr. HOAR. Mr. President, I was saying that I had the charge in the Senate, as chairman of the Committee on Privileges and Elections, of the bill known as the force bill, which was a bill providing for watching the elections as it was reported, and had no more element of force in it than the taking of a census has. But I am satisfied that if there had been a vote on the bill when it was first reported it would have had a majority of the Senate in its favor. If there had been a vote on that bill at the end of the session, at the end of the discussion, it would have been beaten by a majority. In other words, the progress of the discussion, in my judgment, changed the majority in the Senate in regard to that bill.

Mr. STEWART. Mr. President, one word. The fact with regard to it was that it was twice displaced by calling up other measures. In December the silver bill was called up and displaced it by a vote, and finally, in February, the apportionment bill was called up and it got a majority and displaced the other measure by a vote.

Mr. HOAR. The fact as to that bill, as I understand it, absolutely supports the contention of the Senator from Wisconsin.

Mr. HALE. And if there had been then, as some Senators believed there ought to have been, a previous question, there would have been no opposition that could have stopped the passage of the bill, and the change in sentiment the Senator from Massachusetts has referred to, which undoubtedly took place, never would have taken place.

The PRESIDENT pro tempore. The Senator from Wisconsin will proceed.

Mr. SPOONER. Now, Mr. President, I have said about all I wish to say on this resolution. It accomplishes nothing. It does not change any rule of the Senate. If adopted, it does not move the statehood bill one moment nearer a vote under the rules of the Senate. It has but one possible effect, and that is to put upon the record the judgment of every Senator who votes for it, censuring any Senator who under the rules objects to a vote. I think it is a bad beginning.

Mr. TELLER. Mr. President, I am myself very much in favor of the statehood bill and prepared to do anything which I think is just and consistent with my duty here to further that object. I agree with the Senator from Wisconsin [Mr. SPOONER], the chairman of the Committee on Rules, as to the desirability of maintaining in this body the right of free discussion. I have myself had occasion in the number of years I have served here to see the advantage of it.

I agree with the Senator from Massachusetts [Mr. HOAR] that the bill, which he thinks did not have any element of force in it, would have become a law if we had had a cloture rule. I myself was an active opponent of that bill. If it did not have the element of force in it, it had in it, in my judgment at that time, the element of fraud, and created an opportunity for dishonest people to meddle with elections. But I do not care to discuss that question. I believe that discussion created a sentiment and belief in this body—and it was very much of the character which has been expressed in the debate which is going on here this morning—that it was not wise to pass that bill. While that bill was not voted on directly, the men who voted to displace it were the men who would have voted against it if there had been a vote taken upon it.

Mr. President, I have been a little restive sometimes, and probably once or twice I have said some things which I ought not to have said as to the length of the discussion on the statehood bill, but I myself will not vote for anything, directly or indirectly, which will indicate the right of the majority to censure the minority, or that will look directly or indirectly to any method, either legal or moral, which may prevent any Senator from exercising his judgment in securing delay whenever he thinks he ought to do so.

I believe that there ought to be somewhere in the Government of this country a place where unrestricted and untrammelled debate may be had. I believe it was the purpose of the creation of this body that deliberation and thought and delay might be secured for great questions which might for the time being unduly agitate the public mind, either because of intense partisanship or for any other reason, and I believe that there is nothing which can so secure to the American people righteous and just legislation as the right on this floor to discuss in every way and to delay by every method which shall meet the approval of Senators act-

ing under oath all bills or measures which they think are improper and unwise.

I was delighted to hear the chairman of the Committee on Rules say what he has said this morning. I believe he expresses the best thought of this body when he says that he is in favor of untrammelled debate and unrestricted obstruction when, in the judgment of Senators, such a course is necessary.

Mr. HALE. Mr. President, I move that the resolution be referred to the Committee on Rules.

The PRESIDENT pro tempore. The Senator from Maine moves that the resolution be referred to the Committee on Rules.

Mr. COCKRELL. Is that a debatable proposition, Mr. President?

The PRESIDENT pro tempore. It is.

Mr. COCKRELL. Mr. President, I merely want to say that I heartily concur in what the Senator from Wisconsin [Mr. SPOONER] and the Senator from Colorado [Mr. TELLER] have said.

Mr. BACON. Mr. President, I want to say that I am very glad that the Senator from Pennsylvania [Mr. QUAY] introduced this resolution, because it has given opportunity for the expression of views by leading Senators here which I think will be of priceless value to the Senate in the future. I think, Mr. President, the utterances which we have heard here to-day will finally put at rest the question whether the Senate will ever adopt, at least in our day, a cloture rule.

Mr. President, there are three distinguishing features of this body which I think justify the expression which we so frequently hear, that this is the greatest deliberative body in the world. One of them, of course, we all recognize in the fact that we are a part of the executive of this great nation; another is the fact that there is equal representation of the States here, and that the membership of this body, except in the increase of States, can never be either increased or diminished, and the third which I have in mind is the right to unlimited debate, without which, Mr. President, neither of the other two would entitle us to the high rank which we claim for the Senate.

I only rose, Mr. President, for the purpose of giving expression to the gratification which, as a member of the minority party in this body, I feel at the expressions which have been given to us to-day by leading members of the majority, those who have the power to control if the power of the majority is attempted to be ruthlessly exercised.

I agree most heartily with my distinguished friend from Missouri [Mr. COCKRELL] in commending the utterances which we have heard, and I express my most thorough concurrence therewith.

Mr. PLATT of Connecticut. I should have said nothing, Mr. President, if the observations which have fallen from the Senator from Wisconsin [Mr. SPOONER] and other Senators here did not impel me to say at this time in a very few words that I do not agree with them in the assertion of their opinion that there should be no rule adopted in this Senate for reasonably limiting debate here. I do not wish to enlarge upon it at this time.

I do not think the resolution of the Senator from Pennsylvania [Mr. QUAY] which has been introduced has been introduced at a time when this question can be raised and discussed temperately and carefully; but I have always been of the opinion that some rule limiting debate might be adopted in this Senate which would not cut off the right of the minority, which would not interfere with the real rights and privileges of any Senator to properly debate a subject which might be pending before the Senate.

I do not believe in absolute, untrammelled debate when it reaches the point of obstruction; and I think we may well consider as to whether there is not some method in which debate can be restrained within reasonable limits and not allowed to run to the limit of intentional obstruction.

Mr. ALDRICH. Mr. President, if it was not the intention of the mover of this resolution to indirectly limit debate upon the statehood bill and to place a restraint upon the rights of Senators under the rules and under the Constitution, then its introduction and consideration is a farce and nothing else. If the Senator's resolution simply means that if unanimous consent can be secured it ought to be secured, then it has no purpose here. If the intention is by this indirect method to change the rules of the Senate and to say to Senators you can not exercise your rights under the rules, then I say the resolution should not be adopted.

In the contest to which the Senator from Massachusetts [Mr. HOAR] has referred, I was the chairman of the Committee on Rules and reported rules placing a limitation upon debate. At that time and at other times in my earlier service in the Senate I believed that such restriction was necessary, but from my experience in the Senate and my knowledge that very rarely, if ever, has the Senate by delay and by discussion defeated a measure that should have been adopted, I am free to confess with the Senator from Wisconsin to-day that I should not vote for any rule or resolution which would undertake to place restrictions



upon debate, because I believe that in the long run the Senate will arrive at a wise conclusion on all questions submitted to its decision.

Mr. LODGE. Mr. President, when I entered the Senate I came here fresh from the greatest contest that had been made in the House of Representatives, certainly in this generation, and which involved the question of closure or of the previous question. Stated more broadly, the issue was whether the majority in the House of Representatives was to transact any business at all. The House of Representatives, when I entered it, was under the old system of rules, and had fallen into a condition where practically one man could arrest the business of the House by an apt use of complicated rules and long roll calls. I was in the House which revised the old rules and adopted what were known as the Reed rules, which, in my judgment, were the salvation of the House of Representatives and of its position as a legislative body, for under the old rules it had fallen into a state of almost complete inanity. Therefore I came to this body with a very strong prejudice in favor of vigorous and prompt methods of closing debate.

I entered the Senate with all these opinions very strongly upon me, and I remember on August 7, 1893, or immediately afterwards, when we assembled in extra session, I introduced a resolution to compel the Committee on Finance immediately to report a bill for the repeal of the Sherman law, moved thereto by the discipline which I had received in the House. That motion was met by the Senator from Colorado [Mr. TELLER] as an impossible method of procedure, and with much the same argument that he has repeated here to-day.

Mr. President, I have been here since then for ten years. In a very short time after my coming into this body, within a year or two, in fact, I came to the conclusion that the practice of the Senate was on the whole a wise one, and though hard at times to bear when we are interested in passing a bill and grow naturally impatient, that it was the safest system for the country and for the general interests of the Government. Mr. President, I have seen in that short time both parties in control of the Senate, and I do not remember that any measure desired by an actual and true majority of the Senate has ever failed of a vote.

In the first session of the Senate a previous question was adopted which could be applied, by a majority vote, if moved and seconded from the floor. In 1896 the Senate struck that provision from the rules, and for a hundred years has never reenacted it. I think the principle involved, therefore, ought not to be lightly set aside, for there is much to be said in behalf of the practice of a hundred years. Moreover, Mr. President, as I was just saying, in that long period and in late years it has been clear that the majority of the Senate always gets a vote when it is a real majority.

Mr. President, I believe thoroughly in majority rule. I had that lesson borne in upon me in my service in the House of Representatives; but those who invoke majority rule, Mr. President, must not begin by overthrowing it. This country intrusts the Government to one political party or the other, and the party in power is responsible for the Government, and is the majority party. If a bill passes this Congress, it makes no difference by what combination of votes it passes, the party in power at the moment, which now happens to be the Republican party, is held responsible for it, even if the great mass of their Members and Senators voted against it.

A bill, for example, came to this table the other day from the other House settling the currency of the Philippine Islands. It was passed there by the minority party acting with a small fraction of the majority party; that is, the party to whom was intrusted the Government of the country was, under that vote, to be made responsible for a measure to which the great majority of its members objected, and which they did not believe in.

Therefore, Mr. President, a majority in this Senate must be something more than a numerical majority at any given moment, and there must be time to develop the fact whether it is a genuine and responsible majority, and also whether votes can not be changed.

I was deeply and profoundly interested in the force bill, as it was called, which has been alluded to here. I had it in charge in the House of Representatives and I saw it defeated on this floor by methods of obstruction, which resulted finally in the change of votes which has been here alluded to. But, Mr. President, I had much rather take the chances of occasional obstruction than to put the Senate in the position where bills could be driven through under rules which may be absolutely necessary in a large body like the House of Representatives or the House of Commons in England, but which are not necessary here. I think here we should have, minority and majority alike, the fullest possible opportunity of debate.

I myself have never indulged in obstruction and I have no desire to indulge in it now, but I think, Mr. President, that it would be the height of unwisdom to pass a resolution like this and open the way to a closure rule, which is what this resolution does, and

which is a matter of the utmost gravity, without more consideration than can be given in the morning hour. Those whom it most behooves to oppose such resolutions as this are the party of the minority, for it is the minority whose rights are at stake and whose last protection is found on the floor of this Senate.

Mr. MCCOMAS. Mr. President, I offer an amendment in the nature of a substitute for the resolution, so that if the resolution shall go to the Committee on Rules this amendment may go with it. I do not desire to have it read nor to debate it.

It seems to me that if the Senator from Pennsylvania [Mr. QUAY] is right—that there should be a time for voting on the statehood bill, because, as he alleges, a majority are for it—then there should come a time for voting on all bills if a majority favor those bills. So I have offered as a substitute a proposition long ago submitted by the Senator from Connecticut [Mr. PLATT]. I desire that the substitute may go to the committee with the resolution. Certainly a rule that is good for one day ought to be good for all days; a rule that is good for the statehood bill ought to be good for every important measure in this body. I oppose the statehood bill, but I concede and believe from observation in the other House and from brief observation here that a rule which would apply to all bills, so that at some time a majority could have them considered and voted on, is proper and orderly, and the proposition I now offer as an amendment is for the orderly procedure with and the final disposition of questions which a majority in this body desire to have passed.

Mr. HALE. I rise to a parliamentary question, Mr. President. The PRESIDENT pro tempore. The Senator from Maine will state his parliamentary question.

Mr. HALE. I suppose, if the motion which I have made carries, that the resolution and any amendment pending to it will go to the Committee on Rules.

Mr. BATE. I rise to a parliamentary question, Mr. President. Do I understand the Senator objects to a discussion of this question? Does he want to put a cloture rule on us now?

Mr. HALE. Oh, no; I only raised a question as to whether, if my motion prevails, it will not carry not only the resolution of the Senator from Pennsylvania [Mr. QUAY], but any amendment offered to it to the Committee on Rules. Of course I do not desire to interfere with debate, and I do not insist on my motion being put now.

The PRESIDENT pro tempore. No amendment like the amendment offered by the Senator from Maryland [Mr. MCCOMAS] is in order, the motion to refer having been made. If the motion to refer should be withdrawn, then the Senator from Maryland could offer his amendment as a substitute for the pending resolution, and then if a motion were made to refer and it were adopted it would carry with it both the original resolution and the amendment.

Mr. HALE. I have no objection under those conditions, Mr. President, to temporarily withdrawing my motion and letting the Senator from Maryland put in his amendment. After that I will renew the motion.

Mr. MCCOMAS. I shall be very glad to have the Senator do that. I have no desire to debate the proposition.

The PRESIDENT pro tempore. Does the Chair understand that the motion to refer the resolution is withdrawn for the present?

Mr. HALE. For the present.

Mr. MCCOMAS. I now offer the amendment to which I have referred as a substitute for the resolution.

Mr. BURROWS. Let the amendment be read.

Mr. HALE. It has been read, I think.

Mr. BURROWS. No, it has not been read.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maryland has not been read. It will be read.

The SECRETARY. It is proposed to substitute for the resolution of Mr. QUAY the following:

*Resolved, That the rules of the Senate be amended by adding thereto the following:*

When any bill, resolution, or other question shall have been under consideration for a reasonable time, it shall be in order for any Senator to demand that debate thereon be closed. On such demand no debate shall be in order, and pending such demand no other motion except one motion to adjourn shall be made. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without debate. If the Senate shall decide to close debate on any bill, resolution, or other question, the measure shall take precedence of all other business whatever, and the question shall be put upon the amendments, if any then pending, and upon the measure in its successive stages according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon the measure, including all amendments, not more than once, and not exceeding thirty minutes.

After the Senate shall have decided to close debate as herein provided, no motion shall be in order but a motion to adjourn or to take a recess, when such motions shall be seconded by a majority of the Senate. When either of said motions shall have been lost or shall have failed of a second, it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure or one vote upon the same shall have intervened.

Pending proceedings under the foregoing rule no proceeding in respect of a quorum shall be in order until it shall have appeared on a division or on the taking of the yeas and nays that a quorum is not present and voting.

Pending proceedings under the foregoing rule all questions of order,

whether upon appeal or otherwise, shall be decided without debate, and no obstructive or dilatory motion or proceedings of any kind shall be in order. For the foregoing stated purposes the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL are modified.

Mr. HALE. Mr. President, I now move that the resolution be referred to the Committee on Rules.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine that the resolution be referred to the Committee on Rules.

Mr. BATE. Mr. President, I desire to say only a few words on the pending resolution. I want to emphasize what has already been so well said by the Senator from Wisconsin [Mr. SPOONER], the Senator from Colorado [Mr. TELLER], the Senator from Missouri [Mr. COCKRELL], and other Senators.

I wish also to say that I believe I represent every Senator on our side of the Chamber when I state that there is not a single one of us who would vote for anything that contained anything in the direction of cloture. We oppose it. We believe in the freedom of debate to the fullest possible extent, as we always have done, and especially, as has been said, when this is perhaps the only legislative body in the world where that privilege is so extensive.

Mr. President, in regard to the resolution which has been presented here by the Senator from Pennsylvania [Mr. QUAY] I wish to say that I see nothing in it tending toward a cloture rule. It occurs to me that that Senator had no such idea when he penned that resolution and presented it. In other words, it is very clear that the resolution is in almost the exact language which that Senator has been using here every morning for nearly a month, asking that a given day be assigned by unanimous consent for the purpose of securing a vote upon the pending omnibus statehood bill. That is the language used in the resolution.

That unanimous consent, Mr. President, is one of the most sacred obligations which the Senate has, and I am glad to say that in the sixteen years I have had the honor of a seat in this body I have never known a unanimous-consent understanding to be violated. Everyone respects it as sacred and solemn and stands to it to the last; and the resolution submitted by the Senator from Pennsylvania has that language in it, "by unanimous consent." A single Senator could object to it.

But, Mr. President, I go farther. I will say that I do not desire to do anything that will cause Senators to feel restive and uneasy or to feel that this resolution is a reflection upon them. I do not desire to be a party to anything of that kind. I want them to have a clear idea of the propriety of their action and to exercise that idea in their own way. I do not wish for one to criticize them for it. Therefore, although I see nothing objectionable in it, I am willing to vote for the motion to refer the resolution to the Committee on Rules. I have no objection to that, but I do not want to impinge on the rights of any Senator. I do not believe that this proposition amounts to anything more than what has been done here ever since we have had the statehood bill under discussion for more than two months, when the Senator from Pennsylvania has risen in his seat every morning at the termination of the routine morning business and put the same proposition in substance to the Senate which is embodied in the resolution desiring unanimous consent.

I do not understand that there is anything in the resolution which indicates that it tends to the adoption of a cloture rule; but, notwithstanding that, I shall, for the reasons I have stated, vote for its reference to the Committee on Rules.

Mr. DUBOIS. Mr. President, I would not even by indirection vote for a cloture rule, and I am willing to assume that the Senator from Wisconsin [Mr. SPOONER], the Senator from Maine [Mr. HALE], and the Senator from Rhode Island [Mr. ALDRICH] represent the views of the other side in their declarations against a cloture. I honor and respect the Senator from Connecticut [Mr. PLATT], who now has before the Senate a resolution limiting debate, rather a drastic resolution, of which he says he is in favor; but I rise chiefly to dissent totally from the Senator from Massachusetts [Mr. LODGE], who proposes the most partisan and indefensible scheme that I ever heard presented here.

The Senator from Massachusetts says that if the majority of the Senate on any question does not belong to the majority party in the body it is not a real and bona fide majority, but that the majority of the majority party has the right to decide what measures shall pass. In the House of Representatives, as an illustration, he cites a recent case in the passage of the Philippine currency bill by that body, when the minority in politics joined with a few members of the majority in politics and passed the bill. He objects to that. I would call the attention of the Senator from Massachusetts to the fact that the majority of the Senate when the Sherman law was repealed were not the majority party. That majority consisted of a small number of the majority party added to most of the minority party, and this majority repealed the Sherman Act.

Mr. LODGE. The Senator will allow me to interrupt him?

Mr. DUBOIS. Certainly.

Mr. LODGE. They represented the Administration which had been elected by a majority of the people of this country and which was responsible for its government.

Mr. DUBOIS. Oh!

Mr. LODGE. And the combination of Democrats and Republicans was supporting the Administration, which favored the repeal of the Sherman Act and was responsible for the government.

Mr. DUBOIS. Mr. President, the fact remains that the Democratic party was in the majority in number in this body when that repeal bill was passed, and a large majority of the Democratic Senators were against that repeal. A minority of them joined with the almost solid Republican vote and passed it.

The Senator from Massachusetts was criticizing severely the Senator from Pennsylvania [Mr. QUAY] by indirection, and yet the same situation exists now in regard to this bill as then existed in regard to the repeal of the Sherman Act. The Senator says that unless the majority in favor of a bill belongs to the majority party it does not reflect the genuine sentiment of the responsible majority. His language was very nice, it was very clever; but that is exactly what he meant and that is what he said. I dissent from that.

If a majority of this body—I do not care to what party they belong—think it is for the best interests of the country to pass a bill, they ought to be allowed to vote on it and it ought not to be necessary for all of them to belong to the majority party; otherwise the political minority in this Chamber might just as well go home. If you give a license to the minority, provided that minority belongs to the majority party, to kill a bill by filibustering, we might as well have no rules at all.

But the logic, the sequence, of that proposition is that if the opposition is confined to one side of the Chamber or to the other, then it ought to be held up and made to submit to the will of the majority. Yet, if the majority is composed of those on both sides of the Chamber and if the majority of the dominant party should be the minority in that discussion, then that minority has a perfect right to prevent and ought to prevent legislation. I dissent from any such doctrine on this floor.

Mr. MASON. Mr. President, I think this is an opportune time to again call attention to resolutions I have introduced annually for the last six years providing for an amendment to the rules.

This is the only deliberative body in the world where the minority controls legislation. This is the only body in the world where a member of the minority can take the floor and by reason of Senatorial courtesy set his vocal organs at work for a week at a time without any intellectual exercise. [Laughter.] And it is marvelous to me to see with what rapidity our hearts and sentiments change when, in the hurly-burly of politics, we are shifted from the minority to the majority. When I am in the minority in this body I expect other Senators to treat me with great consideration, to watch carefully and see that all of my bills are passed without discussion, and that I never am refused unanimous consent for anything I ask. But when I am in the majority my sentiments and conditions are changed. I approach the minority who are engaged in filibustering—to call it by a little more genteel name, dilatory tactics—with the greatest care and consideration.

The minority is the great part of this body, and it is the only body in the world where the minority stops legislation and prevents the majority—notwithstanding the boast of the Republic is that it is a country of majorities—from exercising its will. The rule of the majority prevails in every body, from the lowest legislative body in the nation to the supreme tribunal. In the Supreme Court of the United States, when a majority of those eminent jurists pass upon a question, that majority opinion becomes the law of the land and the minority bows to it.

Here we are in this situation again and again. Day after day three new States are knocking at the door; the majority of the Senate is for the measure, but the minority says, "No; let us wait; let us talk; let us have more vocal exercise." in order to prevent the expression of the will of the majority here. Here, pending before this body, is the treaty providing for the construction of that great canal from ocean to ocean. A majority are for it, but a minority say, "No; unless you move out of your minorityship on another measure and let us vote for statehood, we will not play in your back yard and let you vote for the canal treaty." Dignified gentlemen, in a dignified body, permitting the minority to govern our course of conduct!

Gentlemen say that legislation is always reached when a majority is for it. I deny it. I assert that the graveyard of legislation is full of legitimate legislation asked for by the people, abandoned because one man in the minority says, "I shall feel obliged to take the floor for a week or two on that bill if you call it up." Mr. President, I am sorry thus to find fault, but I say that the time never will come in this country when the Senate of the United States can transact its business until you provide a plan so that the majority may govern.



It is not necessary to cut off debate or unduly to limit debate. The rules which have been propounded here, even the one suggested by the distinguished Senator from Connecticut [Mr. PLATT], contemplate giving ten days, twenty days, thirty days. The Senator from Pennsylvania [Mr. QUAY], who has asked you to vote upon the pending statehood measure, offered to give you thirty days' debate. But no; you are not ready. It is the love of power. I have learned it. I like it when I am with the minority. It is a splendid thing. It is glorious to stand in the minority and say the majority shall not act. It is a delightful habit we have of drawing the cloak of hypocrisy around us and saying, "We are not filibustering." But we know we are, and you know it, and they all know it, and the country knows it.

To-day we could have voted and passed the canal treaty a dozen times over; the statehood bill could have been beaten or passed twenty times over after full and fair debate; but the truth is that this love of power which, when a man is in the minority, enables him to put the brake on the train regardless of the order of the general superintendent has filled the legislative graveyard of the country, and, in my opinion, it will not be corrected until the people of the United States so shape their Constitution that the Senators in this body will owe their seats to, and answer directly to, the people, who ought to elect the Senators. [Manifestation of applause in the galleries.]

Mr. LODGE. Mr. President, I had not intended to say anything more upon this subject. I regret, however, so much that what I said annoyed the Senator from Idaho [Mr. DUBOIS] that I wish to be a little more explicit.

Mr. President, the success of parliamentary and representative government has been complete only among the English-speaking people, and all observers and students of the history of parliamentary and representative institutions admit that one cause of that success has been the fact that both in England and in the United States we have proceeded by party government, by the government that is of two parties, a party of government and a party of opposition; one party in power; the other party always ready to act as the party of criticism and restraint, and in due time itself to take power.

Elsewhere we have had in parliamentary bodies what may be called government by groups. We have seen parliaments, senates, and houses of representatives split up into three or four, or sometimes more, different groups, separated often by small shades of opinion. The coalescence of those groups for a temporary purpose has been necessary to form a ministry or to carry on a government. The result has been an absolutely shifting quality in almost all other parliamentary bodies except our own and those of England. For example, in France, where they have had the system of groups, up to the time of the late ministry of M. Waldeck-Rousseau, there never had been a ministry in France that could hold power over fourteen months. That had been the extreme. All continuity was lost—continuity of foreign policy, continuity of domestic policy. One coalition of groups would come in and put in a ministry. They would fly apart. Another coalition, with slight changes, would bring in another ministry.

There is not any doubt, Mr. President, that the party system has been the great secret of the success of parliamentary institutions in their practical working among English-speaking people. In the Senate the period to which the Senator from Idaho has alluded, when it was in a condition where neither the Republican party nor the Democratic party had power, when we were in that condition in the Senate where everything had to be passed by an arrangement between three groups or two groups and when there was no party responsibility, I say without hesitation was the worst period within the legislative history of the Senate. It was so because there was no party responsibility. It would have been infinitely better to have had either party in absolute control of this body, and I say this as a Republican and a party man. In other words, party responsibility is essential to good government and to a reasonable conservatism. The people intrust government to a party. That party is responsible for the Government in all its parts. No matter what legislation passes here, the party in power is responsible, and properly so, because as an organization it can pass or can stop any law.

Now, Mr. President, you form a majority ad hoc, for one special purpose, in this body or in the House of Representatives, and it has no responsibility to the people. It goes to pieces the moment the single purpose it favors is carried. It does not act together on any other measure even while it is pressing that one, and when it has attained its end it is not responsible to anyone, for, in the very nature of things, it has no responsibility. Irresponsibility is the greatest danger to honest and free government. Responsibility rests, must rest, and ought to rest on the majority party, to which the people have intrusted power for a long or for a short time, as the case may be.

My proposition is that the majority ought to rule. I think the majority party ought to rule because it is responsible. I bowed

to the will of the majority party when the Democratic party was in control in this Chamber. I never, to my knowledge, obstructed or filibustered against any of their measures. I think they were rightfully entitled by the vote of the people to control. I think the majority party to-day, because it must bear all the responsibility, because it must have all the glory or all the odium of any measure that passes, no matter whose votes pass it, is entitled to have the authority with the responsibility.

If a majority on this floor ought to rule and rule without restraint and everything ought to bow before it, then the same principle holds good in a party council. The majority there ought to rule and everything ought to bow before it. Mr. President, it is thus very easy to force those doctrines to extremes, and therefore I think it is much wiser to adhere to the beaten paths that the Senate has followed for a hundred years. I have no doubt that all the legislation this country really demands, or that it is safe and wise to pass, will meet with action in this Chamber now and in the future as it has in the past.

The Senator from Illinois [Mr. MASON] has talked about the legislative graveyard. Some good measures no doubt lie buried there, but the vast majority are measures which to-day the country is glad to know never passed and which are forgotten in their graves. The delay of the Senate, in view of the rapidity of action elsewhere, has not proved a bad factor in legislation, and I think, Mr. President, that along the old lines of party responsibility and due discussion lies the safest road for legislation in this body.

Mr. McCOMAS. May I ask the Senator from Massachusetts a question?

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). Does the Senator from Massachusetts yield to the Senator from Maryland?

Mr. LODGE. Certainly.

Mr. McCOMAS. Does not the very reasoning of the Senator from Massachusetts as to party responsibility lead to a cloture rule, and has it not led the other English-speaking parliamentary government at home and in its principal colonies to adopt a cloture rule, that the responsible party at some time may, after debate, decide?

Mr. LODGE. Never in both Houses, so far as I am aware.

Mr. McCOMAS. Never in both Houses? Well, we are not the House of Lords.

Mr. LODGE. No; that is perfectly true. But it has never been done in both Houses.

Mr. McCOMAS. Is it not true that in the principal colonies in both houses they have adopted the cloture rule?

Mr. LODGE. I have not examined the facts enough to say whether it is so in the upper houses of the British colonies or not.

Mr. McCOMAS. I think the Senator knows that in some cases, at least, it is.

Mr. LODGE. I do not. I never inquired into the practice in the upper houses of those bodies.

Mr. DUBOIS. Mr. President, the Senator from Massachusetts [Mr. LODGE] has stated his position even more clearly than he did before. In his judgment the majority of the majority should rule. That not only eliminates the political minority, but it eliminates the minority of the majority party.

Mr. HOAR. Will the Senator from Idaho allow me to make one observation before the matter passes?

Mr. DUBOIS. Certainly.

Mr. HOAR. There is an eminent member of the Canadian parliament on the floor, and I am informed by him there is no cloture rule in the upper house there or in either house.

Mr. DUBOIS. I admit that the majority party at present is thoroughly organized and submits to discipline, but it might be possible that there would be some difference of opinion among the majority about some tariff revision. According to the Senator from Massachusetts [Mr. LODGE] the party should take the New England idea in regard to the tariff—the ultra view. The minority in the party ought not to have anything to say about it. The majority ought to have their way.

I am inclined to believe that the Senator from Massachusetts was trying to combat the position of the Senator from Pennsylvania [Mr. QUAY] and had not seriously taken into consideration the full force and effect of his remarks. I certainly do not believe the Senate of the United States desires to subscribe even by indirection to the proposition that the majority of the majority party, those who would control in a caucus if they went into a caucus, should always have their way in this Chamber.

Mr. BURTON. I wish to ask the Senator from Massachusetts if he thinks we should have a cloture rule in caucus?

Mr. LODGE. I am not in favor of a cloture rule in the caucus, of course. It would be a mere absurdity. All I said was that if you were going to carry the principle of majority rule to extremes, and that the majority must rule always without restraint at all times and immediately in this body, then it is a poor rule

which does not work both ways, and the majority ought also to rule in the conference or the caucus just as much as here, if the majority rule is never to be resisted. It can not be right to disregard majority rule in the conference room and hold it a sin to disregard it on the floor of the Senate. I am contending in this case, however, not for the rights of the majority, but for the rights of the minority in this Chamber, and for the system which the Senate has followed for a hundred years.

Mr. CARMACK, Mr. BURTON, and Mr. QUAY addressed the Chair. The PRESIDING OFFICER. The Senator from Tennessee.

Mr. HALE. Mr. President—

Mr. CARMACK. I yield to the Senator from Maine.

Mr. HALE. I merely wish to say that I think the Senate is ready for the question. I do not propose to debate the motion which I have made, but I hope the Senate will have an opportunity, in view of this most interesting and illuminating discussion, to take a vote before 2 o'clock to-day on the proposition to refer this whole matter to the Committee on Rules. I beg the Senator's pardon for interrupting him.

Mr. QUAY. Will the Senator from Tennessee pardon me?

Mr. CARMACK. Mr. President, I wish to suggest to the Senator from Massachusetts [Mr. LODGE] that the comparison he has made—

Mr. MALLORY. I rise to a point of order.

The PRESIDING OFFICER. The Senator from Florida will state his point of order.

Mr. MALLORY. It is that we can not hear what the Senator from Tennessee says.

The PRESIDING OFFICER. The Senate will be in order. Senators will please resume their seats.

Mr. CARMACK. Mr. President, I was saying that I want to suggest to the Senator from Massachusetts that the comparison he has made with reference to the conditions of party and parliamentary government in other countries—France and England—are not at all applicable to conditions in this country. The life of a ministry in the United States is not dependent upon parliamentary majorities.

The conditions existing in England, where Parliament has become supreme and where the King retains only a shadow of his former power, are not due to the form of the British constitution, but to the accidental fact that there are two and only two political parties, one or the other of which always has a majority in the House of Commons. If that condition were to cease to exist, if there should come to be three or more large political parties in Great Britain, none of which had a majority in the House of Commons, I imagine that the King might resume a great deal of his former power. Conditions here are fixed by the Constitution, and party government in my opinion is of nothing like so much importance in this country as it is in a country where the ministry must be supported all the time by a majority in Parliament or in one House of Parliament. The principle of our Constitution is to keep the legislative and executive power separate and independent. In the working out of parliamentary party government in Great Britain the executive power is wielded in practice and effect by a parliamentary committee.

I do not think, Mr. President, that it is a matter of supreme importance, especially upon a question like this, that the majority of the Senate should be an unmixed and unadulterated partisan majority. This is not necessarily, and it is not in its nature, a party question. Both parties, in fact, have declared in their platforms in favor of the admission of these States. It therefore is not by nature, and has not been made by the two political parties, a party question, and it is a question with reference to which the majority should rule without reference to the political complexion of that majority.

I was about to suggest, when my friend the Senator from Idaho [Mr. DUBOIS] rose, that I thought it a most remarkable statement which the Senator from Massachusetts [Mr. LODGE] made, in effect that a minority of the Senate, if it happened to be a majority of the majority party, possessed an unlimited right of obstruction, while a minority composed of a minority party had no such right.

Mr. President, I am not in favor of a cloture rule, but I wish to state that in my judgment if a cloture rule is ever adopted in the Senate it will be brought about by just such conditions as prevail now, where debate is carried on not with any view of in, forming the Senate, not with any purpose to change the vote of a single Senator, but purely for the purpose of obstruction and to defeat pending measures by delay. It seems to me if we are to avoid a cloture rule we should have an end of conditions such as have existed here sometimes, where a bill of vast importance to all the people of the United States has been held up by one man at the point of a jawbone and ordered off the statute books in spite of the fact that a large majority of both Houses were in favor of the bill. Such things, Mr. President, are likely to force a cloture rule some time or other, and one reason why I do not

like to see debate carried on purely for the purpose of obstruction is that I am afraid it will force the adoption of rules that will unduly limit legitimate debate.

I will not say that there are not occasions when debate for the pure purpose of obstruction may not properly be indulged in, but these must be very exceptional cases, cases like the case of the so-called force bill, where the people in my part of the country believed that if such a bill were enacted into law it would be utterly ruinous and destructive of their whole civilization. It was a case where we were fighting like a man fights in defense of his life and where he casts aside all rules, even that of the commandment, which says, "Thou shalt not kill." It must be an extreme and exceptional case, in my judgment. But if in a case like this, a case where both parties in their platforms have agreed upon and declared in favor of the pending measure, a minority of the Senate are to pursue obstructive tactics and defeat the bill simply by delay, then other Senators in cases of no greater importance will exercise the same right and will put an end to the orderly conduct of business in the Senate and will force the adoption of cloture sooner or later.

Mr. CULLOM. Mr. President, I rise to move that the Senate proceed to the consideration of executive business.

Mr. COCKRELL. Let us have a vote on the resolution.

Mr. HALE. Let us have a vote.

Mr. QUAY. Mr. President, I wish to be heard upon the pending resolution.

Mr. GALLINGER. So do I.

Mr. QUAY. I prefer that it should go over until to-morrow.

Mr. STEWART. Will the Senator from Illinois yield to me that I may make a request in connection with the Indian appropriation bill?

Mr. CULLOM. I yield for that purpose.

#### INDIAN APPROPRIATION BILL.

Mr. STEWART. I ask the Chair to lay before the Senate the action of the House of Representatives on the Indian appropriation bill.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 15804) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1904, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. STEWART. I move that the Senate insist upon its amendments and consent to the conference.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. STEWART, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas were appointed.

#### HOUSE BILL REFERRED.

The bill (H. R. 16734) to provide an American register for the steamer *Beaumont* was read twice by its title and referred to the Committee on Commerce.

#### EXECUTIVE SESSION.

Mr. CULLOM. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three hours and thirty-five minutes spent in executive session the doors were reopened.

#### MISSOURI RIVER BRIDGE.

Mr. COCKRELL. My colleague [Mr. VEST] who is unable to be present at the session of the Senate to-day has asked me to call up for consideration the bill (H. R. 7648) to authorize the construction of a bridge across the Missouri River and to establish it as a post-road. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 17th instant approved and signed the act (S. 475) to refer the claim of Joseph W. Parish to the Secretary of the Treasury for examination and payment of any balance found due.

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 6961) to authorize the construction of a bridge across the Missouri River between the city of Chamberlain, in Brule County, and Lyman County, in the State of South Dakota;



An act (S. 7159) authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across St. Francis River, in the State of Arkansas;

An act (S. 7185) to authorize the board of commissioners for the Connecticut bridge and highway district to construct a bridge across the Connecticut River at Hartford, in the State of Connecticut; and

An act (S. 7226) to authorize the Pittsburg and Carnegie Railway Company to construct, maintain, and operate a bridge across the Allegheny River.

#### CORPORATIONS IN ALASKA.

Mr. BEVERIDGE. I am directed by the Committee on Territories, to whom was referred the amendment of the House of Representatives to the bill (S. 6139) to provide for the organization of private corporations in the district of Alaska, to report it back and move that the Senate nonconcur in the amendment of the House of Representatives and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. NELSON, Mr. BURNHAM, and Mr. PATTERSON were appointed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 2557) for the relief of Henry L. McCalla.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 15659) granting a pension to Elise Sigel.

The message further announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, further insists upon its disagreement to the amendments of the Senate, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL, Mr. CAPRON, and Mr. HAY managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 14) granting an increase of pension to George F. Howe, alias Harrington;

A bill (S. 532) granting an increase of pension to Merritt Young;

A bill (S. 699) granting an increase of pension to Franklin Chase;

A bill (S. 966) granting an increase of pension to William Y. Turner;

A bill (S. 1043) granting an increase of pension to Harriet Hatch;

A bill (S. 1128) granting an increase of pension to Lyman Matthews;

A bill (S. 1166) granting an increase of pension to Charles W. Colby;

A bill (S. 1168) to authorize the appointment of Edward L. Bailey as captain of infantry, United States Army, and to place him on the retired list;

A bill (S. 1194) granting an increase of pension to Thomas J. George;

A bill (S. 1227) granting an increase of pension to Bowman H. Peterson;

A bill (S. 1335) granting a pension to Elizabeth Neal;

A bill (S. 1550) granting an increase of pension to Flavius Shanks;

A bill (S. 1631) granting an increase of pension to Edna K. Hoyt;

A bill (S. 1738) granting an increase of pension to Thomas Doyle;

A bill (S. 1873) granting an increase of pension to Hilar D. Davis;

A bill (S. 1914) granting an increase of pension to Elbert Chittum;

A bill (S. 1939) granting an increase of pension to John M. Drake;

A bill (S. 2007) granting a pension to Mary A. Everts;

A bill (S. 2111) granting an increase of pension to William Kepler;

A bill (S. 2114) granting an increase of pension to Sarah B. Barger;

A bill (S. 2130) granting a pension to Margaret A. Munson;

A bill (S. 2256) granting an increase of pension to Andrew J. Pennel;

A bill (S. 2259) granting a pension to Sarah J. Snook;

A bill (S. 2303) granting a pension to Rose O. Crummett;

A bill (S. 2363) granting an increase of pension to James A. Capen;

A bill (S. 2439) granting an increase of pension to Richard A. Larimer;

A bill (S. 2591) granting an increase of pension to George W. McComb;

A bill (S. 2596) granting an increase of pension to Israel F. Barnes;

A bill (S. 2626) granting an increase of pension to Ardenia Dillon;

A bill (S. 2799) granting an increase of pension to Israel V. Hoag;

A bill (S. 2860) granting an increase of pension to Henderson Mercer;

A bill (S. 2936) granting an increase of pension to Berthold Fernow;

A bill (S. 2974) granting an increase of pension to Samuel J. Boyer;

A bill (S. 3020) granting an increase of pension to Eliza E. Littlefield;

A bill (S. 3081) granting an increase of pension to Leonard A. Norton;

A bill (S. 3174) granting an increase of pension to Frederick W. Lillman;

A bill (S. 3249) granting an increase of pension to Charles W. Scherzer;

A bill (S. 3405) granting an increase of pension to William H. H. Bouslaugh;

A bill (S. 3542) granting an increase of pension to William H. Shaw;

A bill (S. 3568) granting an increase of pension to John P. Travis;

A bill (S. 3573) granting an increase of pension to John P. Post;

A bill (S. 3574) granting an increase of pension to Henry R. Bennett;

A bill (S. 3608) granting an increase of pension to Alphonso T. Gould;

A bill (S. 3632) granting an increase of pension to Frank E. Freeman;

A bill (S. 3645) granting an increase of pension to Simeon Deno;

A bill (S. 3803) granting an increase of pension to Philip Caslow;

A bill (S. 3912) granting an increase of pension to John T. Dewees;

A bill (S. 3929) granting an increase of pension to Lemarr A. Brace;

A bill (S. 4023) granting an increase of pension to Alman J. Houston;

A bill (S. 4029) granting a pension to Mary J. Parker;

A bill (S. 4087) granting a pension to Lemuel Kingsbury;

A bill (S. 4123) granting a pension to Eliza Gallagher;

A bill (S. 4134) granting an increase of pension to Timothy Laughlin;

A bill (S. 4140) granting an increase of pension to James O'Neil;

A bill (S. 4239) granting an increase of pension to Oscar H. Prink;

A bill (S. 4287) granting an increase of pension to David N. Tolles;

A bill (S. 4305) granting an increase of pension to Daniel G. Towle;

A bill (S. 4337) granting an increase of pension to Elizabeth Thompson;

A bill (S. 4359) granting an increase of pension to John S. Milam;

A bill (S. 4379) granting an increase of pension to George Davis;

A bill (S. 4429) granting a pension to Alvira Randall;

A bill (S. 4443) granting an increase of pension to Thomas Bassett;

A bill (S. 4466) granting an increase of pension to Archibald McIntire;

A bill (S. 4544) granting an increase of pension to Phineas L. Squires;

A bill (S. 4607) granting an increase of pension to Oliver G. Wright;

A bill (S. 4656) granting an increase of pension to Orlando S. Osborn;

A bill (S. 4702) granting an increase of pension to Ephraim Cunningham;

A bill (S. 4752) granting an increase of pension to Betsey Jones;

A bill (S. 4760) granting an increase of pension to John Hamilton, second;

A bill (S. 4806) granting an increase of pension to Frank A. Olney;

A bill (S. 4807) granting an increase of pension to Emmet C. Hill;  
 A bill (S. 4812) granting a pension to Addison Arnold;  
 A bill (S. 4854) granting an increase of pension to Cassius B. Fisher;  
 A bill (S. 4892) granting an increase of pension to John Doherr;   
 A bill (S. 4919) granting an increase of pension to James M. White;  
 A bill (S. 4922) granting an increase of pension to Andrew C. Smith;  
 A bill (S. 5006) granting a pension to Annie P. Pinney;  
 A bill (S. 5020) granting a pension to Emma D. Goslin;  
 A bill (S. 5040) granting an increase of pension to Stephen G. Cole;  
 A bill (S. 5053) granting a pension to Deborah Edwards;  
 A bill (S. 5055) granting an increase of pension to Mary E. Phillips;  
 A bill (S. 5117) granting an increase of pension to John U. Allen;  
 A bill (S. 5123) granting an increase of pension to James Mc-Morrow;  
 A bill (S. 5205) granting an increase of pension to Grace E. Ash;  
 A bill (S. 5215) granting an increase of pension to Thomas L. Smith;  
 A bill (S. 5359) granting an increase of pension to Hampton B. Farmer;  
 A bill (S. 5389) granting an increase of pension to Jasper N. Acree;  
 A bill (S. 5507) granting an increase of pension to Jarrot F. Rigg;  
 A bill (H. R. 9063) to refund certain taxes paid by the Anhauser-Busch Brewing Association, of St. Louis, Mo.;  
 A bill (H. R. 12508) granting an increase of pension to James Jones;  
 A bill (H. R. 15767) to authorize Washington and Westmoreland counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania; and  
 A bill (H. R. 17247) granting a pension to Mary H. Rumble.

## ARMY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, and asking for a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. QUARLES. I move that the Senate still further insist upon its amendments to the bill and agree to the further conference asked by the House on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. PROCTOR, Mr. QUARLES, and Mr. COCKRELL were appointed.

Mr. CULLOM. I move that the Senate adjourn until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 19, 1903, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate February 18, 1903.*

## COMMISSIONER OF CORPORATIONS.

James Rudolph Garfield, of Ohio, to be Commissioner of Corporations in the Department of Commerce and Labor, to fill an original vacancy.

## PROMOTIONS IN THE ARMY.

*Medical Department.*

1. Lieut. Col. John D. Hall, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, February 13, 1903, vice Brown, retired from active service.

2. Maj. Henry S. Kilbourne, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, February 13, 1903, vice Hall, promoted.

3. Capt. Joseph T. Clarke, assistant surgeon, to be surgeon with the rank of major, February 13, 1903, vice Kilbourne, promoted.

## PROMOTIONS IN THE NAVY.

1. Passed Assistant Paymaster Ulysses G. Ammen, to be a paymaster in the Navy, from the 28th day of April, 1902, vice Paymaster John C. Sullivan, promoted.

2. Assistant Paymaster Trevor W. Leutze, to be a passed assistant paymaster in the Navy, from the 28th day of April, 1903, vice Passed Assistant Paymaster Ulysses G. Ammen, promoted.

3. Assistant Paymaster McGill R. Goldsborough, to be a passed assistant paymaster in the Navy, from the 1st day of June, 1902, vice Passed Assistant Paymaster Abel B. Pierce, resigned.

4. Paymaster John R. Martin, to be a pay inspector in the Navy, from the 13th day of June, 1902, vice Pay Inspector Henry T. B. Harris, promoted.

5. Passed Assistant Paymaster George Brown, jr., to be a paymaster in the Navy, from the 13th day of June, 1902, vice Paymaster John R. Martin, promoted.

6. Assistant Paymaster David V. Chadwick, to be a passed assistant paymaster in the Navy, from the 13th day of June, 1902, vice Passed Assistant Paymaster George Brown, promoted.

7. Passed Assistant Paymaster Walter B. Izard, to be a paymaster in the Navy, from the 1st day of July, 1902, vice Paymaster Charles M. Ray, promoted.

8. Assistant Paymaster Eugene C. Tobey, to be a passed assistant paymaster in the Navy, from the 1st day of July, 1902, vice Passed Assistant Paymaster Walter B. Izard, promoted.

9. Paymaster Mitchell C. McDonald, to be a pay inspector in the Navy, from the 9th day of September, 1902, vice Pay Inspector Josiah R. Stanton, retired.

10. Passed Assistant Paymaster David Potter, to be a paymaster in the Navy, from the 9th day of September, 1902, vice Paymaster Mitchell C. McDonald, promoted.

11. Paymaster Eustace B. Rogers, to be a pay inspector in the Navy, from the 21st day of September, 1902, vice Pay Inspector Arthur Peterson, resigned.

12. Passed Assistant Paymaster Samuel Bryan, to be a paymaster in the Navy, from the 21st day of September, 1902, vice Paymaster Eustace B. Rogers, promoted.

13. Assistant Paymaster Jonathan Brooks, to be a passed assistant paymaster in the Navy, from the 21st day of September, 1902, vice Passed Assistant Paymaster Samuel Bryan, promoted.

14. Paymaster Leeds C. Keer, to be a pay inspector in the Navy, from the 28th day of September, 1902, vice Pay Inspector Lawrence G. Boggs, promoted.

15. Passed Assistant Paymaster George M. Lukesh, to be a paymaster in the Navy, from the 28th day of September, 1902, vice Paymaster Leeds C. Keer, promoted.

16. Assistant Paymaster Dexter Tiffany, jr., to be a passed assistant paymaster in the Navy, from the 9th day of November, 1902, vice Passed Assistant Paymaster Charles W. Penrose, dismissed.

17. Paymaster Richard T. M. Ball, to be a pay inspector in the Navy, from the 22d day of November, 1902, vice Pay Inspector Samuel R. Colhoun, promoted.

18. Passed Assistant Paymaster John W. Morse, to be a paymaster in the Navy, from the 22d day of November, 1902, vice Paymaster Richard T. M. Ball, promoted.

19. Assistant Paymaster Franklin P. Sackett, to be a passed assistant paymaster in the Navy, from the 22d day of November, 1902, vice Passed Assistant Paymaster John W. Morse, promoted.

20. Paymaster Charles S. Williams, to be a pay inspector in the Navy, from the 10th day of December, 1902, vice Pay Inspector James A. Ring, promoted.

21. Passed Assistant Paymaster Arthur F. Huntington, to be a paymaster in the Navy, from the 10th day of December, 1902, vice Paymaster Charles S. Williams, promoted.

22. Assistant Paymaster David M. Addison, to be a passed assistant paymaster in the Navy, from the 10th day of December, 1902, vice Passed Assistant Paymaster Arthur F. Huntington, promoted.

23. Paymaster Thomas J. Cowie, to be a pay inspector in the Navy, from the 5th day of January, 1903, vice Pay Inspector James E. Cann, promoted.

24. Passed Assistant Paymaster Harry H. Balthis, to be a paymaster in the Navy, from the 5th day of January, 1903, vice Paymaster Thomas J. Cowie, promoted.

25. Paymaster John S. Carpenter, to be a pay inspector in the Navy, from the 11th day of January, 1903, vice Pay Inspector John N. Speel, promoted.

## APPOINTMENTS IN THE NAVY.

Howard D. Lamar, a citizen of Indiana, to be an assistant paymaster in the Navy from the 17th day of February, 1903, to fill a vacancy existing in that grade on that date.

Frederick H. Lemly, a citizen of North Carolina, to be an assistant paymaster in the Navy from the 17th day of February, 1903, to fill a vacancy existing in that grade on that date.

## SURVEYOR-GENERAL.

Matthew Kyle, of Nevada, to be surveyor-general of Nevada, his term having expired. (Reappointment.)

## SECRETARY OF LEGATION AND CONSUL-GENERAL.

Paul Nash, of New York, to be secretary of the legation and consul-general of the United States at Bangkok, Siam, to fill an original vacancy.



## APPOINTMENTS IN THE ARMY.

*General officers.*

Brig. Gen. Joseph C. Breckinridge, inspector-general, to be major-general, United States Army, vice Hughes, to be retired from active service April 11, 1903.

Brig. Gen. Marshall I. Ludington, quartermaster-general, to be major-general, United States Army, vice Breckinridge, to be retired from active service.

Brig. Gen. James F. Wade, United States Army, to be major-general, United States Army, vice Ludington, to be retired from active service.

*To be second lieutenants.*

Julius S. Turrill, of Vermont (now first lieutenant, United States Marine Corps), February 17, 1903.

Walter Williamson Merrill, of Ohio, February 17, 1903.

Reginald H. Kelley, of California, February 17, 1903.

Edward Huguenin Pearce, of California, February 17, 1903.

Claude Newman Fearnster, of Texas, February 17, 1903.

Cyrus Ralph Street, of California (now a private, Sixty-seventh Company, Coast Artillery), February 17, 1903.

Clarence Alexis Eustaphie, of New York, February 17, 1903.

Joseph O. Mauborgne, of New York, February 17, 1903.

Joseph M. Cummins, of Missouri, February 17, 1903.

Thomas Ceborn Musgrave, of Texas, February 17, 1903.

Converse Rising Lewis, of Louisiana, February 17, 1903.

## PROMOTIONS IN THE ARMY.

*Cavalry Arm.*

Lieut. Col. Winfield S. Edgerly, Seventh Cavalry, to be colonel, February 17, 1903, vice Pratt, Thirteenth Cavalry, retired from active service.

Maj. Walter S. Schuyler, Second Cavalry, to be lieutenant-colonel, February 17, 1903, vice Edgerly, Seventh Cavalry, promoted.

Capt. Augustus P. Blocksom, Seventh Cavalry, to be major, February 17, 1903, vice Schuyler, Second Cavalry, promoted.

First Lieut. Alfred E. Kennington, Tenth Cavalry, to be captain, February 17, 1903, vice Blocksom, Seventh Cavalry, promoted.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 18, 1903.*

## ASSOCIATE JUSTICE SUPREME COURT, PHILIPPINE ISLANDS.

John T. McDonough, of New York, to be an associate justice of the supreme court of the Philippine Islands, provided for in the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes."

## MARSHAL.

Vivian J. Fagin, of Ohio, to be United States marshal for the southern district of Ohio.

## CIRCUIT JUDGE.

Willis Van Devanter, of Wyoming, to be United States circuit judge for the eighth judicial circuit.

## UNITED STATES ATTORNEYS.

John J. Boyce, of California, to be United States attorney for the district of Alaska, to be assigned to division No. 1.

Milton C. Elstner, of Louisiana, to be United States attorney for the western district of Louisiana.

William B. Sheppard, of Florida, to be United States attorney for the northern district of Florida.

## APPRAISER OF MERCHANDISE.

Algernon S. Badger, of Louisiana, to be appraiser of merchandise in the district of New Orleans, in the State of Louisiana.

## SURVEYOR OF CUSTOMS.

Amor Smith, jr., to be surveyor of customs for the port of Cincinnati, in the State of Ohio.

## APPOINTMENTS IN THE NAVY.

To be passed assistant surgeons

Harold H. Haas.

William H. Bucher.

Edgar Thompson.

Elon O. Huntington.

John B. Dennis.

To be passed assistant paymasters:

George P. Dyer.

Robert H. Woods.

Robert H. Orr.

William A. Merritt.

Franklin W. Hart.

Harrison L. Robins.

Webb V. H. Rose.

William H. Doherty.

Charles Morris, jr.

Richard H. Robinson, to be an assistant naval constructor in the Navy, with the rank of lieutenant, from the 10th day of February, 1903.

## PROMOTIONS IN THE NAVY.

Capt. John R. Bartlett, United States Navy (retired), to be a rear-admiral on the retired list of officers of the Navy, from the 9th day of February, 1903, in accordance with the provisions of an act of Congress approved February 9, 1903.

Lieut. (junior grade) Rufus Z. Johnston, jr., to be a lieutenant in the Navy from the 4th day of January, 1903.

## POSTMASTERS.

## ALABAMA.

Spencer J. McMorris, to be postmaster at Wetumpka, in the county of Elmore and State of Alabama.

## IDAHO.

Dora C. Hill, to be postmaster at Shoshone, in the county of Lincoln and State of Idaho.

## INDIANA.

Stanley S. Tull, to be postmaster at Monon, in the county of White and State of Indiana.

## KENTUCKY.

Lizzie Vaupel, to be postmaster at Morganfield, in the county of Union and State of Kentucky.

## MICHIGAN.

Charles Bidwell, to be postmaster at Tecumseh, in the county of Lenawee and State of Michigan.

## TEXAS.

William D. Rathjen, to be postmaster at Canadian, in the county of Hemphill and State of Texas.

William A. Stoner, to be postmaster at Waco, in the county of McLennan and State of Texas.

## CONSULAR CONVENTION WITH GREECE.

The injunction of secrecy was removed February 18, 1903, from a consular convention between the United States and Greece, signed at Athens on December 2, 1902.

## HOUSE OF REPRESENTATIVES.

## WEDNESDAY, February 18, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

## SABINE AND NACHEZ RIVERS, TEXAS.

The SPEAKER. The Chair desires to state to the House that in the matter of House bill 17243, which, by order of the House, was referred to the Committee on Rules to see if the RECORD needed to be corrected, that that committee has had the matter under consideration and finds that the RECORD is correct as it stands, and that the action of the House is correct, and that there is no repeal of the river and harbor bill.

## HENRY L. MCCALLA.

The SPEAKER laid before the House the bill H. R. 2557, an act for the relief of Henry L. McCalla with Senate amendment.

The Senate amendment was read.

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendment.

Mr. HAY. Mr. Speaker, I desire to be heard upon that motion.

Mr. HULL. How much time does the gentleman want?

Mr. HAY. A half an hour.

Mr. HULL. This is a Senate amendment to a House bill.

Mr. HAY. Oh, I beg the gentleman's pardon, I thought it was the conference on the Army bill.

The motion of Mr. HULL was agreed to.

## ARMY APPROPRIATION BILL.

Mr. HULL. If it is in order, I wish to call up the conference report on the Army appropriation bill—House bill No. 16567. The gentleman from Virginia [Mr. HAY], I understand, wants a little time on his question. How much?

Mr. HAY. I should like to have half an hour.

Mr. HULL. Very well. In the first place, however, I think the statement of the House conferees should be read. I ask for the reading of the statement, omitting the reading of the conference report.

The SPEAKER. The gentleman from Iowa [Mr. HULL] asks unanimous consent that the reading of the report be waived, and that only the statement of the House conferees be read. In the absence of objection that course will be pursued.

There was no objection.

The statement, as published, together with the conference report in the proceedings of yesterday, was read.

Mr. HULL. Mr. Speaker, the statement as read shows, I think, in detail the action of the conferees. As I understand, there are in the action of the conference committee only two points on which there is any particular contention. One of these has reference to pay of retired officers; the other, I understand, affects the provision giving to officers of the Army the right to deposit certain amounts of their pay with the Government paymasters. I suppose I am entitled to an hour. I ask the gentleman from Virginia how much time he desires?

Mr. HAY. I should like to have half an hour.

Mr. McCALL. Before the gentleman from Virginia proceeds I wish to ask the gentleman from Iowa what disposition has been made of the item about the Government purchase of the Balls Bluff battlefield for a cemetery?

Mr. HULL. The Senate receded from its amendment.

Mr. McCALL. And the conferees agreed?

Mr. HULL. The conferees agreed.

Mr. McCALL. Then it would not be in order for me to move to restore that item?

Mr. HULL. A conference report can not be amended. It must be voted either up or down as a whole.

Mr. McCALL. I think the provision should have been adopted.

Mr. HULL. I yield thirty minutes to the gentleman from Virginia [Mr. HAY].

Mr. HAY. Mr. Speaker, I hope that this conference report will be voted down for two reasons. The first reason I wish to urge upon the attention of the House is based on the fact that the officers of the Army, under a provision which was put in the bill by the Senate, are allowed to deposit money upon the same terms as enlisted men, payable at certain periods, under certain regulations, and at such times as the Secretary of War shall prescribe, and bearing interest at 3 per cent per annum. In conference that amendment was changed so as to provide that officers should be permitted to deposit sums of money up to \$5,000, at the rate of interest I have just named.

This provision, in my judgment, is against public policy. If such a practice is begun with the officers of the Army, there is no reason why every employee of the Government should not be allowed the privilege of depositing with the Government certain sums of money, the Government paying him 3 per cent interest upon the deposit, this rate of interest being allowed in the face of the fact that the Government can borrow all the money it wants at 2 per cent interest. If after being educated for four years at West Point an Army officer is not able to take care of the money which is paid to him, and if by law we are to permit him to deposit as much as \$5,000 with the Government and draw 3 per cent interest thereon, I say that a very dangerous precedent is set. No such provision applies to the officers of the Navy. One argument made in favor of this provision is that Army officers are frequently so far away from banks that they can not deposit their money. I reply that naval officers are stationed all over the world, yet they do not enjoy this privilege, and it is not proposed to confer it. They can not have access to banks as readily as can Army officers. There are banks all over this country, adjacent to almost every post.

There is no reason for this class legislation, this paternalism run mad, which is proposed in this bill. Therefore it does seem to me most undemocratic, most unrepugnant, that we should single out a certain class of men and confer upon them favors which we do not allow to other persons in the employment of the Government. So much for that.

Now, as to retired officers, I have no objection to recognizing the officers of the civil war—

Mr. SLAYDEN. I rise to a point of order. The gentleman from Virginia is discussing a very important conference report, and it is impossible to hear him even within 20 feet of him. I should like to have a little order if we can have it.

The SPEAKER. The Chair, for the second time this morning, makes the request that gentlemen cease conversation. It is a high right of a member to be heard when addressing this House, and a high right of other members to hear him. The Chair trusts that conversation may cease and not be renewed.

Mr. HAY. Mr. Speaker, with regard to the retirement provisions, I have no objection to the recognition of the soldiers who served in the civil war; but I do think that when a provision of that sort is put into this bill it ought to include all of those officers, and not merely a part of them. A careful reading of this amendment will show to the House that while some men and officers who served in the civil war are provided for others are not provided for. For that reason I am opposed to that amendment, and I think that the House ought to refuse to concur in this report, and send it back to conference, in order that these things may be remedied.

I yield ten minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, before beginning my remarks I would like to ask a question of the chairman of the Committee on Military Affairs, the gentleman from Iowa [Mr. HULL].

Mr. HULL. Very well.

Mr. SLAYDEN. I would like to ask the chairman if he can explain to me and to the House how we are to have a separate vote on these amendments which were objected to when the bill was first brought back from the Senate.

Mr. HULL. Well, of course the only way to get a separate vote, as the gentleman from Texas very well knows, is by voting down the conference report. In other words, if the conference report is adopted, it eliminates all the amendments to the bill.

Mr. SLAYDEN. That is my understanding, Mr. Speaker, and I beg the pardon of the gentleman from Iowa for persisting in my inquiry and also for reminding him of the fact that he promised us specifically and plainly that we would have a separate vote upon these amendments.

Mr. HULL. Mr. Speaker, that I absolutely deny.

Mr. SLAYDEN. And I would like to know of him now if he will help us vote down the conference report.

Mr. HULL. I want to say, Mr. Speaker, that the statement of the gentleman from Texas is not true, and he has no right to make such a statement here.

Mr. SLAYDEN. Mr. Speaker, the courtesy of the gentleman from Iowa evidently equals his veracity. I will read what the RECORD says on that question:

The House will undoubtedly have an opportunity to vote on the amendment.

That refers to one of the amendments to which we object.

Mr. RICHARDSON of Tennessee. When was that?

Mr. SLAYDEN. That was a statement made by the chairman of the Committee on Military Affairs, Mr. HULL, of Iowa, and printed on page 1894 of the RECORD of February 7.

Mr. HULL. Read on, and the gentleman will see that I said I could not agree to a separate vote.

Mr. SLAYDEN. Mr. Speaker, I will read the colloquy leading up to that.

Mr. HULL. Will the gentleman give us the page.

Mr. SLAYDEN. It is on page 1894, and is as follows:

Mr. HULL. Mr. Speaker, I am directed by the Committee on Military Affairs to report back from that committee the Senate amendments to House bill 16567, making appropriations for the support of the Army for the fiscal year ending June 30, 1904. The committee, by unanimous vote, have directed me to ask unanimous consent that the House disagree with all the amendments of the Senate and ask for a free conference with the Senate.

Further on he says:

The House will undoubtedly have an opportunity to vote on the amendment.

That, Mr. Speaker, refers to the amendment just discussed by the gentleman from Virginia [Mr. HAY], known as the retirement amendment. Further on down the gentleman from Iowa says:

I want to say to the House, however, that as far as I am concerned, if I shall be a member of the conferees on the part of the House, so far as I can I want to carry out the instructions of the Committee on Military Affairs in its action on these amendments.

Mr. Speaker, he reported that the committee unanimously instructed him to disagree to those amendments. He pledged us an opportunity to vote on those amendments, and he pledged himself, if made a member of that committee of conference, to do what he could to see that we got that opportunity. Mr. Speaker, we have not the opportunity unless the conference report is rejected, and that will not be upon the amendments, as has just been suggested by one of my neighbors. I will say to the gentleman from Iowa in this connection that it is a very cheap form of debate to stand over there and hurl epithets of the character which he did, and only the fact that I am in the bar of this House and desire to preserve the proprieties keeps me from replying in the way that his blackguardism deserves. [Applause on the Democratic side.]

Mr. MANN. The gentleman ought to be ashamed of himself.

Mr. SLAYDEN. Now, as to the amendments, there are three or four in there that I believe—

Mr. RANDELL of Texas. The shame is on that side of the House.

Mr. MANN. The shame is over there on that side.

Mr. SLAYDEN. That is a question I am willing to discuss with the gentleman from Illinois [Mr. MANN] in any manner he pleases elsewhere.

Mr. MANN. I am very much surprised at the gentleman from Texas endeavoring to lecture the gentleman from Iowa and using a far worse expression than the gentleman from Iowa thought of using.

Mr. SLAYDEN. That is a matter of judgment, and the opinion of the gentleman from Illinois on courtesy is not specially valuable that I know of. [Laughter and applause on the Democratic side.]



Mr. MANN. Possibly not of any value to some of the gentlemen on that side of the House.

Mr. SLAYDEN. Mr. Speaker, I insist on being permitted to discuss these amendments which it was my purpose to discuss when I got up here, and not to engage in a personal controversy with any gentleman in this House. In the six years I have served here I have endeavored to treat every member of this House with courtesy, and to yield to this body the courtesy to which its great dignity and great character entitles it. I have tried to refrain at all times from giving way to any expression indicating temper or bad feeling, and I hope, sir, that I may never be found guilty of violating the rules of this House, and only under great provocation have I said what I did say.

Now, Mr. Speaker, as to the merit of these amendments, to which I seriously invite the consideration of this House. There is one which proposes to authorize Army officers to deposit with the Government their savings up to \$5,000. It compels the people of this country to pay 3 per cent interest upon these deposits. It compels the Government to borrow when it does not need to borrow. It forces the Government to become a debtor when there is no necessity for it to become a debtor. It compels it to pay a rate of interest 50 per cent above that at which it could go into the markets of the world and borrow the money it might need.

Only a few days ago there was urged before this House with great vehemence and ability a bill which had for its purpose to compel the Government to lend \$10,000,000 to the District of Columbia at 2 per cent. Thus we are forced, where the people are concerned, to pay 50 per cent more than the market rate of interest. We would have been compelled, if the majority of this House had taken the views of the minority, to lend \$10,000,000 of the people's money to the District of Columbia at 2 per cent. I have discussed that amendment with officers of the Army, and I do not find that any of those gentlemen, except a few staff officers connected with the War Department, believe that there is any merit in the bill or that it is desired by any particularly large number of the officers of the Army. They are not infants. They need no guardians. They average in intelligence with the other people of this country and are just as capable of making their own investments and of caring for themselves as other people.

Now, Mr. Speaker, why should there be invidious distinctions? If the policy of providing a savings bank for any of the employees of this Government is to be adopted, why can we not extend it to the civil as well as to the military employees of the Government? Is the clerk who does his duty in any of these Departments of this Government, or any other officer, not entitled to just as much consideration from the Government as the officers of the Army, who have wages in excess of the average earned by their fellow-men in civil life, and positions that are secure to them for life?

That measure, if understood by this House would, in my judgment, be voted down, because it is unjust to the people of the country and undesirable from the point of view, in my judgment, of a majority of the officers of the Army.

Now, as to the retirement feature, Mr. Speaker, I would have liked to have some information upon that question, but getting epithets where I wanted reasons, I shall refrain from making inquiries. I am told, however, that the proposition will add \$150,000 a year, or more, to the expenses of the people of this country. Whether these figures are correct or not, I do not know, but I do not believe that that bill ought to pass in the shape that it is offered to this House. If we are to pass a measure recognizing the services of those men who went into the civil war more than forty years ago, and who have served their country for many years, it certainly ought to be more general in its terms than it is in this amendment.

There is one other amendment, Mr. Speaker, to which I have raised some objection. I refer to the proposition to purchase the manuscript of Mr. Heitman. Mr. Heitman, as I understand it, has been practically all his life an employee of the Government of the United States, drawing a salary, living upon the public, and he has prepared a manuscript, perhaps in his leisure moments, perhaps when not compelled to be rendering service to the Government. On that point I am not advised, but he has prepared a manuscript, and proposes to sell it to the Government for some few thousand dollars. Now, Mr. Speaker, that manuscript is a register of the officers of the Army of the United States. Similar publications have been made by other people. Here are three volumes prepared by General Cullum, a complete register of the cadets of the United States Military Academy and of officers who were graduates, down to the date of its publication.

The time of Mr. SLAYDEN having expired, Mr. HAY yielded to him three minutes more.

Mr. SLAYDEN. Here is another register of the officers of the Army, prepared by Mr. F. B. Heitman. I will ask the gentleman from Virginia if that is the same man?

Mr. HAY. I do not know whether it is the same man or not.

Mr. SLAYDEN. It is prepared by a Mr. F. B. Heitman, possibly the same man, but I do not know. But Mr. Heitman has assured us—I mean the author of the manuscript which it is now proposed to buy out of the public funds—that there is a great demand for his book, and when I was spoken to about it I said:

If that is true, there are publishers in New York and Chicago and Boston and elsewhere who will be glad to take it up and issue it and sell it to the public.

But, Mr. Speaker, that is not the purpose of this amendment. It is to print at the public expense and distribute gratuitously to a few people in this country this compilation of Mr. Heitman's, and I do not believe it ought to be done.

I believe that there are so many objectionable amendments in this bill that the House ought to reject the conference report.

Mr. HAY. I yield ten minutes to the gentleman from Minnesota.

Mr. STEVENS of Minnesota. Mr. Speaker, it is with extreme regret that I differ from my colleagues, the majority of the Committee on Military Affairs, on these particular items of the conference report. My particular objection is to amendment numbered 20, relating to the advancement of certain officers of the Army an additional grade on retiring. I think it is a bad policy, a bad general policy, to advance officers one grade with a view to retirement. It is especially bad policy to make it a matter of legislation. But since Congress has legislated and has placed upon the statute books a provision for advancing naval officers one grade with a view to retirement, it may be but fair to do the same thing for the officers of the Army. But when it is done it ought to be done without any limitations or exceptions. All officers and men in the Army ought to have the same chance. There ought to be one fair rule for all. Now, my objection to this provision in the conference report is that it makes certain exceptions and limitations. It gives certain officers a chance to retire, but men who have done equally meritorious work in the service of their country are not allowed to retire with the same privilege. It makes the provision retroactive, going back to the 11th day of August, 1898.

Mr. FOSS. Will the gentleman allow me to interrupt him?

Mr. STEVENS of Minnesota. Certainly.

Mr. FOSS. Does the provision apply to officers of the civil war or to all of them?

Mr. STEVENS of Minnesota. It applies to officers during the civil war who served one year prior to the 9th day of April, 1865. Now, if a man served one day less than that, it does not apply to him. Take some boy, 18 or 19 years of age, who entered on the 10th day of April, 1864, who served through the battles of the Wilderness and in Virginia, who did as valiant service as any soldier did in the civil war, and yet had served only eleven months and twenty-nine days before that time, he can not retire with one grade higher under the terms of this amendment.

Now, I submit that that is not fair, and it ought not to be sanctioned by an act of this House.

Another vicious provision: it is not fair that this should be made retroactive in the manner that is stated in the amendment, that it should advance some officers who are already on the retired list and not advance others equally as meritorious. Men who have been there three years, four years, and nearly four years and a half could be advanced one grade under the provisions of this amendment, and others who may be more meritorious are excluded by reason of some exceptions or limitations. I submit that is not good legislation, that that should not be encouraged by a vote of this House. I submit for that reason alone this report, with a disagreement as to this item, should be sent back into conference.

There is another amendment, numbered 3, providing for the purchase of the manuscript of a register of the United States Army. This House realizes what that is. Here is an employee of one of the departments of our Government who compiles an official register, so called, of the officers of the Army of the United States. He sells his manuscript by the provisions of this act. He goes to the various officers to whom it would be useful, who like to have their records appear in print. It is a useful compendium. I have no doubt these men would like to have it; but if they like to have it they ought to pay for it themselves. I submit it is bad policy for Congress to allow officers or employees of the various departments to do work connected with the departments, it may be, a little outside of their official duties, and then compel and create a demand for their work and come to Congress and get appropriations to purchase it.

Mr. HAMILTON. What is the scope of this work?

Mr. STEVENS of Minnesota. It includes all the officers in the Army from the beginning.

Mr. HULL. Including the volunteers.

Mr. STEVENS of Minnesota. It gives a list of all the officers of the Army from the beginning of the Government.

Now, there has been brought to my attention an illustration of

that, showing its evil. In one of the other departments of the Government—not the War Department—some employees did certain work that greatly facilitated the process of work of that department. It may have been done outside of official hours; of that I do not know. It may have been done with material not paid for by the Government; of that I do not know. But I do know a bill was presented to this House and referred to one of the committees of this House to purchase that work, to purchase the patent for that process, carrying an appropriation of \$50,000. Now, if we vote in this House upon such a provision as that, we encourage the employees of this Government to originate schemes, to create a demand for it, and then come to Congress and get pay by lobbying, or things of that sort. For that reason that amendment should be disagreed to. So that I trust, Mr. Speaker, that on account of these two amendments alone that this report shall be disagreed to. [Applause.]

Mr. HULL. How much time has the gentleman from Virginia remaining?

The SPEAKER. The gentleman has six minutes.

Mr. HULL. I will yield five minutes to the gentleman from Rhode Island [Mr. CAPRON].

Mr. CAPRON. Mr. Speaker, I do not think I will need more than a small portion of the five minutes yielded to me, because I think I shall be able to convince the fair-minded members in this House in much less time that the captious attacks upon the conferees are unwarranted and unfounded. Take them as my friend from Minnesota [Mr. STEVENS] has left them, and I would like to address myself for one minute to the publication for which an appropriation was placed by the Senate in the bill. There is a man of many years' service in the War Department, Heitman by name, who, in his own time, took the Government records from the beginning of the Army to to-day, and for twenty years has compiled the only reliable roster of the United States Army in existence.

The War Department, the Adjutant-General's Office, the office of General Ainsworth say that this is the only reliable record to which they can now refer. The number of copies, contrary to what my friend from Texas has alleged, that will be required are few, so that the book never could be sold by popular subscription. It is an invaluable work, the result of many years' application of careful service on the part of this compiler. Three thousand dollars is all that is asked to be appropriated to transfer this work to the Government aside from its publication.

Mr. STEVENS of Minnesota. That does not include the cost of printing and distribution?

Mr. CAPRON. Oh, no; it includes the labor of this man for twenty years on this valuable work. I would encourage men to do outside valuable work for the Government.

Mr. STEVENS of Minnesota. And then sell it to the Government.

Mr. CAPRON. I would encourage men to invent smokeless powder, as one man has perfected that invention for the great good of the country, and over which a controversy arose, some objecting that the man ought not to have anything for his discovery, which was worth millions to the Government. Our whole patent system encourages men along just such lines. I do not believe in having men simply automatons in the service of the Government, as you would force them to be by this method.

This work is the man's own work. We are using it now. He has taken twenty years to perfect it. It is worth the money, and that is the reason, for one, why I am willing to concur in the Senate amendment.

In regard to the retirement clause, I am not one of those wedded to a retirement clause of this or any other kind, but the Navy of the United States has now, and has had for four years, a retirement clause much more broad than this one that has been reported in the Senate amendment, and which the conferees have agreed to with an amendment. This provision is very greatly restricted, very much below, and taking in very many less than is now the case with the Navy. Now, we believe that the Army service as compared with the Navy is just as deserving; and while we can not get the enactment in regard to the Navy repealed, I think we should put the two arms of the service on equal ground. In this respect it is no more than fair, and we ought to be willing to do it; although if, in the judgment of the House it is not deemed wise, I would not urge it beyond what seems right and just in the mind of Congress, to put the two arms of the service on an equal basis.

Mr. BOWIE. Will the gentleman yield for a question?

Mr. CAPRON. Certainly.

Mr. BOWIE. Is it any argument in favor of the proposition that is not meritorious that some other nonmeritorious proposition is enacted into law?

Mr. CAPRON. The gentleman means that two wrongs never make a right?

Mr. BOWIE. That is the proposition.

Mr. CAPRON. I do not suppose they do, but there has been no wrong. There has been an opportunity given to advance the naval officers one grade on retirement. Now, that will never be taken back, because many men have received it and you can never repeal it. I hope the House will agree to the report of the conferees.

The SPEAKER. The time of the gentleman from Rhode Island has expired.

Mr. HULL. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has twenty-three minutes remaining.

Mr. LACEY. I would like to ask the gentleman a question before he yields the floor.

Mr. HULL. Very well.

Mr. LACEY. There are some bills pending in the Military Committee on behalf of eminent and distinguished Army officers, authorizing the President to appoint them by promotion for retirement, who were retired prior to 1898, men of the highest distinction, men of the longest service. Now, the effect of this proposition will be to bar that class of men in favor of younger members who have seen similar service, and not much of it. Does not the gentleman think the date ought to be changed so as to cover this class of men who have already appealed to the committee for relief?

Mr. HULL. I would like to touch on that point, when I come to close the debate, if I can. I now yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, in the five minutes' time I can only refer to one or two matters that my attention has been directed to. This appropriation for barracks and quarters makes \$3,000,000 immediately available, and \$250,000 in addition immediately available in the Philippines, and some other immediately available provisions. In other words, between two and three million dollars—nearer three millions than two millions—are made immediately available. This is an appropriation bill for the coming year and a deficiency bill for this year. How much more may be in this bill, how much more in other bills, I do not know; but I do know that this practice of going from committee to committee where a committee under the rules of the House has jurisdiction, and then, before the matter has been investigated, by the aid of a willing Senate, failing in one place, rushing to another that has not jurisdiction, and sticking in amendments here and there and yonder ought to be done away with. Appropriation for the next year, appropriation for this year, legislation here, legislation there. If action is continued along these lines it will demoralize the matter of appropriation and bring scandal and criticism—deserved criticism—from the people of the country.

Now, touching this retirement matter, I do not know whether it is right or not. I want to treat the Army liberally. This provision had no place in the House bill; it is legislation pure and simple, on a large scale, by Senate amendment. How does it come here? In a conference agreement, by the grace of the Senate—wholesale. I should be glad if every member here who thinks he understands this provision would stand up. These matters ought to be treated of upon their merits. If I vote for this conference report on this great bill to supply the public service, I am compelled to vote for a bill that supplies that service for the next year as well as for this year, a bill that amends the law and introduces a new policy touching the retired list. It may be justifiable; I do not know. I have got to take it upon trust. In this body, close to the people, we proceed under rules. In another body—and I think I can say it within parliamentary lines—legislation is by unanimous consent. And when I say that, gentlemen understand what it means. [Applause.]

Mr. HULL. I hope the gentleman from Virginia [Mr. HAY] will now conclude his remarks.

Mr. HAY. I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I regret that a sense of public duty will compel me, when the time arrives, to vote against the conference report. There are at least three provisions in this report to which I am opposed. I am opposed in toto to the retirement clause of the bill. I have heard no argument for it except that it is somewhat in the line of a provision made some time ago for the Navy, although the conditions in the two branches of the service were and are not similar, and therefore, even if the provision made with regard to the Navy were wise, it would not necessarily follow that this provision is. I doubt the wisdom of that action as regards the Navy, and I think that the error then made should not be perpetuated and extended.

Further, the provision contained in the bill as regards retirement is unfair and unjust. If we are to advance generally the grade of officers who served in the civil war, then we should include everyone who honorably served in that war, including those who, by reason of wounds or disabilities incurred in the service of their country, were compelled to leave that service before the



beginning of the Spanish war. From time to time Congress has advanced the grade of officers for peculiarly gallant and meritorious services. From time to time the President has advanced men just before retirement on account of particularly meritorious services. But, sir, we discredit the action of the Executive, we cheapen our own action, when we say that by one piece of "blanket" legislation of this kind we will raise every man on the list to a level with those who were thus, we must suppose, properly, peculiarly honored. Why have we in the past especially honored men for special services if now we say that we will nullify all that action and raise the entire list one grade?

We have been liberal to the Army. We should have been liberal to it. But I do not believe that justice or even generosity commends this action. On the contrary, justice condemns it as unfair in that it does not extend even-handed generosity.

I am opposed to the provision in the bill for the acceptance by the Government of funds from officers of the Army and the payment of 3 per cent interest on the same. I do not believe that such legislation is necessary or particularly desired by the officers of the Army. I do not believe it is in accord with good public policy.

I am opposed to the purchase and distribution at public expense of an Army roster—valuable, I admit, but which the people at large do not desire and will never use—a roster which is only required by certain departments of the Government and will be sought for by only a comparatively few people.

[Here the hammer fell.]

Mr. HAY. I yield four minutes to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON of Tennessee. Mr. Speaker, the House is put at a very great disadvantage when we come to vote upon a conference report if we are not satisfied in the House with amendments that have been put upon the bill by the Senate. It seems that in this case the Senate put on this bill certain amendments which are obnoxious to our rules. As has been stated by the gentleman from Illinois [Mr. CANNON], the legislative provisions that they have put upon this bill would have no standing under our rules if proposed here. Now, when that has been done and the bill comes back to us from the Senate, we ought to have the right to vote as an independent proposition upon every such proposition presented to us, and should not be required to vote upon various propositions as a whole in a conference report.

Now, we have not that permission, we have not that privilege. And why? Because I undertake to say of the statement of the gentleman from Iowa [Mr. HULL], whether he meant to do it or not, he has misled the House of Representatives. I do not believe the gentleman from Iowa would intentionally mislead the House, but that is the effect of the action that we are now taking. And why do I say it? Because when this bill came from the Senate with Senate amendments the gentleman from Iowa, the chairman of the Military Committee, as it was his duty to do, asked of the House unanimous consent to nonconcur in the Senate amendments. He could not have nonconcurred and sent the bill to conference without unanimous consent of this House, and he was held up, as we all know, on that request upon a promise, almost expressed, certainly implied, that we should have the right to vote upon the Senate amendments. We are denied that right unless we vote down the conference report.

Now, I appeal to the members on both sides, in the interests of perfect good faith, that we vote down this conference report in order that we may have a separate vote upon these obnoxious Senate propositions. Now, will you join with us? The gentleman from Illinois [Mr. CANNON] has indicated his opposition. The gentleman from Wyoming [Mr. MONDELL] has indicated his opposition. We appeal to you to help us vote this down. Why do I say we were misled? When the gentleman asked unanimous consent to nonconcur in the Senate amendments and put the bill in conference, he was at a disadvantage, and was held up. He was compelled to have unanimous consent. Some of the gentlemen on this side of the House said that we ought to have the right, if we consented and waived our rights, to have a separate vote, which we could get by sending it to the Military Committee. If we waived those rights, then we ought to have a right to vote upon these amendments. Now, a part of the colloquy between the gentleman from Iowa and some on this side was read by the gentleman from Texas [Mr. SLAYDEN]. Here is what occurred:

Mr. BARTLETT. Perhaps I did not make myself plain. I intended to ask whether or not the House would have an opportunity to vote upon the amendment without voting up or down the entire conference report.

That was the question. We were asking for an assurance that we should have a separate vote without being required to vote up or down the entire conference report. I continue with what the RECORD shows:

Mr. HULL. Mr. Speaker, as I said, it is impossible for any one member of the conference committee to pledge what it is going to do, but the report will go into the RECORD and be printed, and the chances are that there will

be no agreement. The Senate may recede or the conferees may report amendments. The House always has it in its power to pass on the question, but the sooner it goes into conference the more time the House will have to consider these questions.

Mr. BARTLETT. Of course, we understand the regular routine way of passing conference reports and the power that the majority has over amendments. But frequently in the House the statement has been made that the House would not be deprived from voting upon a particular amendment of the Senate. I ask the gentleman if there is any probability that we may have the conference report come in and vote on that particular amendment?

Mr. HULL. The gentleman from Georgia realizes that this same provision is on a bill already in conference.

Mr. BARTLETT. I do.

Mr. HULL. I want to say to the House, however, that as far as I am concerned, if I shall be a member of the conferees on the part of the House, so far as I can I want to carry out the instructions of the Committee on Military Affairs in its action on these amendments.

Now, Mr. Speaker, I say there is an implied promise to give a separate vote on the objectionable Senate amendments, and it was made by the gentleman because he was seeking to get the bill in conference. He was being told by gentlemen on this side that he could not do that by unanimous consent unless we were to have a separate vote on this amendment. I think the gentleman meant to convey the idea that if we gave our consent that we should have a separate vote—that is, that the House should have a separate vote on the Senate amendments if it were desired. We can not have it under this conference report, and all I have risen to say is that we ought to have that right; that the majority of the House, men on both sides, who do not agree to these Senate amendments ought to come forward and vote down the conference report and then instruct our conferees.

The SPEAKER. The time of the gentleman from Tennessee has expired. The time of the gentleman from Virginia has expired. The Chair recognizes the gentleman from Iowa [Mr. HULL].

Mr. HULL. Mr. Speaker, in reply to the gentleman from Tennessee [Mr. RICHARDSON], I want to say to the House that every member knows that that is never the case where it is held that the conferee can not agree to legislation placed on a bill by the Senate, even if it is contrary to the rules of the House; and I will venture the assertion that there is hardly a conference report adopted by the House where such action was not taken by the conferees. So that contention should not have any weight. The gentleman has recited what I intended to read in answer to the gentleman from Texas [Mr. SLAYDEN], where I stated that it was impossible to say what we would do; that on these amendments there either could be a disagreement or the Senate might recede, or they might agree to amendments to their amendments, by which we could bring it before the House.

Mr. RICHARDSON of Tennessee. Now, I ask the gentleman if the conferees did any one of those things?

Mr. HULL. Yes; all of them.

Mr. RICHARDSON of Tennessee. On the other hand, you have accepted the Senate amendments.

Mr. HULL. No, we have not, sir; not in a single case. The Committee on Military Affairs considered these amendments; the amendments that are opposed by the gentleman from Minnesota and the gentleman from Wyoming and the gentleman from Texas, and every one of them, except this in regard to retirement, was passed upon by the committee, and we were instructed to make certain amendments and agree to them as amended—every one of them. The conferees carried out the instructions of the Committee on Military Affairs in every case, unless it is, possibly, this one in regard to retirement.

On that matter the Senate changed its amendment radically. The Senate amendment provided for practically extending the advanced grade to all on the retired list as well as to all on the active list, who had civil war services, without any regard to whether that civil war service was one day or more. If they were commissioned in the Army before the 9th day of April, 1865, they had one grade advance when they came to retire, or if they had been on the retired list for thirty years and engaged in private business, going on with their daily work like the rest of us, under the Senate provision if they could show that they were retired for disease, even if they had entirely recovered, they got one grade in advance. We limited it so as practically to comply with the act affecting the Navy. Under the personnel bill every man on the active list of the Navy who had civil war service, whether one day or more, received on retirement an additional grade. I will ask the chairman of the Committee on Naval Affairs if that is not true.

Mr. FOSS. I want to say right there that when that provision was adopted for the Navy it was done for a particular purpose. We found that men were reaching command rank very late in life, and we wanted to provide a flow of promotion so that the younger men could come to command rank before reaching advanced age.

Mr. HULL. I hope this does not come out of my time. I am willing to concede all of that, but it applied to everyone in the Navy who had civil war service. It even made one man a rear-

admiral who had fifteen days' service. This requires one year's service in the civil war.

Now, gentlemen of the House, one of the conferees on the part of the Senate was a man who served on the Confederate side during the entire war. He rose by his own efforts as a gallant soldier from the rank of captain to that of a brigadier-general of the line. When this question was up and the House conferees were insisting on having a separate vote, this distinguished Confederate said, substantially, that he wanted to recognize the men who served in the civil war as we had already recognized the Navy, and with the limitation of one year he believed the House would adopt it. The limitation of a year was put in. It advances no man who did not serve a year in that greatest war of the ages; and it did seem to me that when a man who for four years had fought under a different flag, who had acknowledged allegiance to our flag as the result of that war, who has been one of the best citizens of the Republic from that day to this, a man who has at heart the best interests of the country as much as any man in either House of Congress, urged upon us that we recognize these old soldiers in this way, that I, at least, could come before the House and favor the proposition.

Mr. HAY. I want to say that I will not make the point of order that the gentleman is stating what passed in conference, but I will state that the Senator to whom the gentleman referred did not urge this measure with as great insistence as the gentleman would have the House believe.

Mr. HULL. I probably ought not to have stated what he said but I felt in justice to the rest of us that I could say what I have said.

Now, Mr. Speaker, I have no pride of opinion in regard to this matter. I would have preferred as one of the conferees to have brought it back and have the House pass upon it as an independent measure; but after the Congress has done what it has done for the Navy, after these soldiers have spent their time from the civil war down, out on the plains enduring hardships, protecting settlers, always in active service, it seems to me that it is merely an act of grace for the Congress of the United States to say to them, "We will do as well by you as we have by the kindred arm of the service."

Mr. STEELE. Mr. Speaker, I should like to ask the gentleman if he does not think that the law ought to apply to officers who have been retired on account of wounds received in battle or who have been compulsorily retired on account of age—all of them?

Mr. HULL. Mr. Speaker, I desire to say to the committee that that would extend it to so great an extent it would virtually take in the entire list. I merely say that which every man knows when I say that a man who went into the Army thirty or more years ago and afterwards left it and went into business, and the Government has given him three-fourths of his service pay on retirement, in most cases he is much better off than if he had remained in the Army to the present time. So far as concerns the privilege of officers making deposits is concerned, very few officers will take advantage of the provision. The Secretary of War, the Adjutant-General, and other officers in touch with the Army thought that it was something that should be done.

It is true that only a few may take advantage of it, because the rate is only 3 per cent, and the amount that they can deposit is limited. We do a little more for the men than we do for these officers. We give the enlisted man 4 per cent, and allow him to deposit all the money he wants to. He is not limited to his pay as an enlisted man. We compel officers to incur expense. We compel them to buy uniforms of a certain character. I want to say that there is not an officer below the grade of captain in the Army, who has not private means outside of his pay, who is not compelled to go in debt to comply with the orders of his superiors in supplying himself with a new uniform. Take a second lieutenant who gets \$1,400 a year. He spends \$600 of it for a new uniform, and the result is that he is in debt for three or four years. If he is at a frontier post, he does not have the advantage of a savings bank where he could deposit his savings. But if he can save \$20 a month of his pay, and put it with the paymaster, why it would be of real benefit to him and no hurt to the Government. It will, however, be used if it is retained in the man's possession; but where he can deposit it and it is placed beyond his reach it will be saved.

That is true of a member of Congress, and I assume it is true of an officer of the Army. Every man whose bank is his pocket is not liable to make much of a saving. It encourages these men to make a saving. The amount is limited to \$5,000. When he reaches that it is impossible for him to deposit any more with the Government. It can not do any harm. It was put in there at the request and solicitation of the Secretary of War. He has no interest in the matter other than the best interests of the Army. Now, I acknowledge some of the criticisms made by my friend from Illinois about this immediately available proposition. I think, if I am not mistaken, that the sundry civil bill has legisla-

tion of that kind. I will ask the gentleman if such a provision was inserted in the sundry civil bill. Am I correct about that?

Mr. CANNON. If my friend will allow me, the Committee on Appropriations has jurisdiction of the sundry civil and deficiency, and there is no trouble of keeping track; but here are six other appropriation committees, and all of them have jurisdiction, too, and it is impossible to keep track of them.

Mr. HULL. The gentleman has control of the deficiencies.

Mr. CANNON. And the sundry civil bill.

Mr. HULL. All deficiencies go to his committee.

Mr. CANNON. And the sundry civil also.

Mr. HULL. And the sundry civil also. But that bill carries appropriations that belong to all these, so that if there is any deficiency, if a deficiency in the sundry civil bill, that would have to be put on the deficiency bill.

Mr. CANNON. No.

Mr. HULL. And the rest of us would have to keep track of them. The gentleman can of course put the rest of us to looking at the sundry civil bill for deficiencies under the sundry civil in the regular ordinary consideration. But deficiencies should be carried in proper bills so all may know.

Mr. CANNON. Well, it is a plausible rather than a real criticism to attempt to criticize when the only argument you can plead is to plead that two wrongs would make a right.

Mr. HULL. Oh, no; the point of order was made against it.

Mr. CANNON. It went out on a point of order.

Mr. HULL. Now, Mr. Speaker, I can very readily see where members of the House do not like the retirement clause, because it does not go as far as they would like to have it go. And in reply to the question asked me by the gentleman from Iowa a short time ago, I want to say, in reference to the case of the distinguished officer that he refers to, in place of this legislation blocking it he is in certainly as good a shape after this passes as he was before. In other words, the whole question is an act of grace on the part of Congress. There is not a single officer of the Army, I think, that ever had the right to come to Congress and ask an advanced grade. It is an act of grace, and that only. It becomes an act of a little more than that in the Army, in view of what Congress has done for the Navy in giving them their advanced grade. And each man would come to Congress, as the friend of my friend from Minnesota and my friend and my colleague from Iowa—they will come to Congress on their own merits. That is what they have to do if this is voted down.

We have limited this to the lowest point we could, and put the two arms of the service on as near an equality as we could in this matter, with the exception that we believe, in a matter of this kind, that we should give it to those that served in the civil war and not simply to those who had a commission just before the close of the war.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. HULL. I would like to say just one word more. The President has appointed 34 colonels to be brigadier-generals, and this measure, if adopted, will apply to those below the grade of brigadier more than to the higher grades.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. HULL) there were—ayes 33, noes 69.

So the motion to agree to the conference report was lost.

Mr. HULL. Now, Mr. Speaker, if the gentleman from Virginia desires to have a separate vote, if he desires to move to concur, I do not want to cut him off.

The SPEAKER pro tempore (Mr. DALZELL). Gentlemen will state on what amendments they want separate votes.

Mr. HAY. Mr. Speaker, I desire a separate vote on the amendment numbered 23, and on amendment numbered 20 and amendment numbered 3.

Mr. HULL. Mr. Speaker, I call for the reading of the amendments.

Mr. RIXEY. I would like to ask the gentleman from Iowa a question, Mr. Speaker. Will he not consent to pass that amendment for a few minutes and take up another?

Mr. HULL. I imagine that there is no controversy, Mr. Speaker, as to the retirement clause. The vote of the House is, in my judgment, overwhelmingly opposed to the proposition for retirement, and there is only one thing to be done, and that is absolutely to let the Senate recede or consider the bill as dead. I do not presume the House will ever reverse its decision on that proposition. I do not know of anyone that wants a vote on any other amendment.

Mr. HAY. I have already indicated, Mr. Speaker, that we want a separate vote on amendments.

The SPEAKER pro tempore. The gentleman from Virginia has indicated that he wants a separate vote on amendments numbered 3, 20, and 23. If that be all, the Chair will put the question.



Mr. SLAYDEN. Mr. Speaker, I have not been able to run these amendments over and keep them in my mind. I will ask the gentleman from Virginia what those amendments are.

Mr. HAY. No. 3 refers to the purchase from Francis D. Heitman of a Historical Register of the United States Army. No. 23 refers to the authorizing and permitting officers to make deposits. Amendment No. 20 refers to the retirement of officers to a higher grade.

Mr. HEPBURN. Mr. Speaker, I ask unanimous consent that these amendments, before they are voted upon, may be reported.

The SPEAKER pro tempore. They will be reported. If there are no other amendments upon which a separate vote is desired, the question is, Shall the House further insist on its disagreement to all the amendments except Nos. 3, 20, and 23?

Mr. RIXEY. What is the number of the Balls Bluff amendment?

Mr. HULL. No. 43.

Mr. RIXEY. I want that reserved.

The SPEAKER pro tempore. The question is on the amendments, except those reserved, numbered 3, 20, 23, and 43, that the House further insist on its disagreement to the Senate amendments.

The question was taken; and the House insisted on its disagreement to the Senate amendments except those upon which a separate vote was demanded.

The SPEAKER pro tempore. The Clerk will report amendment No. 3.

The Clerk read as follows:

To enable the Secretary of War to purchase from Francis B. Heitman, the compiler thereof, the manuscript of the Historical Register of the United States Army, compiled from the official records of the War Department from 1789 to the date of the passage of this act, \$3,000, to be immediately available; and for printing an edition of 6,000 copies of said register by the Public Printer, 1,000 for the use of the Senate, 2,000 for the use of the House of Representatives, and 3,000 for the War Department, and from the copies allotted to the War Department each Government depository shall be supplied with one copy, \$12,000.

Mr. HULL. Mr. Speaker, I suppose a motion to disagree would not take the sense of the House upon this amendment as much as a motion to concur, and in order to test the sense of the House as to whether this provision shall be retained, I move that the House concur in this amendment.

Mr. SLAYDEN. Mr. Speaker, is that motion debatable?

The SPEAKER pro tempore. Certainly.

Mr. HULL. Mr. Speaker, I do not care to detain the House but a few minutes. I simply want to say that this man Heitman has been something over thirty years compiling these records, and every officer of the War Department has urged upon Congress the necessity of purchasing these records. I think the correspondence of a good many members will show that a large number of patriotic societies throughout the country, especially the Cincinnati, have urged that we adopt this so that they can have in the libraries a complete record of all the officers of the United States from the foundation of the Government to the present time. I want to say further, that the Secretary of War and the Adjutant-General and other bureau chiefs have reported to the Committee on Military Affairs that they have to use this manuscript frequently in answering their correspondents in regard to the officers, especially in the Regular Army. The Pension Office has a good record of the volunteer officers of the civil war, so that it is not so necessary in regard to the officers of that war.

But with reference to the Regular Army and the wars prior to the civil war they use it almost constantly; and it was represented to us that the expenditure of this small sum of money will save the time of clerks, while the expense would be multiplied many times if the Government should require the work to be done. It is proposed to pay \$3,000 for this manuscript. I have no interest in this book. I do not know that I should ever want to use it. But in answer to the suggestion of the gentleman from Texas a few moments ago, that all this information has been published, I want to say that the Committee on Military Affairs secured one volume of what was supposed to be the best work of this kind already published, but they found it so full of inaccuracies as to be utterly worthless, although for one volume the cost was \$10. There is not enough general demand for this work to justify its publication unless it is published by order of Congress.

If members of the House believe that this small sum will be properly expended in giving these valuable records not only to a department of the Government that has special use for them, but also to give to the public libraries of the several States a complete record of the armies of the United States from the Revolutionary period to the present time, then they ought to vote in favor of concurring in the amendment. On the other hand, if this work is not regarded as valuable, they ought to vote against the motion to concur.

Mr. CANNON. How many volumes will there be of this work?

Mr. HULL. Six thousand copies.

Mr. CANNON. How many volumes—3, 5, or 10?

Mr. HULL. I do not know how many volumes there will be. That question we did not go into, but we sent the manuscript to the Public Printer for his estimate, and we found it would cost \$12,000 to print 6,000 copies of this work. There would be two volumes at least.

Mr. CANNON. I should think there would be a dozen, but I do not know.

Mr. HULL. I repeat, we did not go into the question of how many volumes. We wanted to ascertain the cost, and we got his estimate; 6,000 copies—1,000 for the use of the Senate, 2,000 for the use of the House, and the others for the Department of War—would cost \$12,000 for printing. Adding to this the cost of purchasing the manuscript, the total expenditure would be \$15,000.

It seems to me this is the only way in which we can make available this mass of information, which would certainly be valuable to public libraries and as a book of reference.

Now, Mr. Speaker, I should like to know how much time other gentlemen desire.

Mr. STEVENS of Minnesota. Will the gentleman yield to me five minutes?

Mr. HULL. Yes, sir. I yield five minutes to the gentleman from Minnesota [Mr. STEVENS].

Mr. STEVENS of Minnesota. Mr. Speaker, I have no personal interest in this matter at all. I oppose this provision because it seems to be bad legislative policy. It strikes me as a bad thing for us to encourage employees in the departments to take some of the time that belongs to the Government, for which the people pay, and to take the strength that belongs to the Government, for which the people pay, and devote this time and strength to their own private business, and, when they have accomplished something, lobby with the officers of the Department and then lobby with their friends in Congress to get some Senate amendment attached to an appropriation bill, and then come here to get an appropriation to pay for something for which the people have already paid.

Now, I know it is claimed that this work was done outside of office hours. That may or may not be true; I do not know.

Mr. HULL. Is not that the statement of the War Department—that this work was done entirely outside of office hours?

Mr. STEVENS of Minnesota. Conceding that to be true, yet the evil of the thing remains, for this man would naturally devote more of his time, more of his strength, more of his intelligence to doing work that would advance his own private fortune than to work for that which the people pay him. If we encourage this kind of thing by voting to concur in this amendment, we shall be flooded with similar schemes from other departments.

If this work is needed, let the War Department do it in the regular way. Let the Department come before the appropriate committee of this House; let it make an estimate for the purpose of accomplishing this work. Let it be done under the direction, if that be thought best, of this man. Let it pay him for doing this work inside of office hours. Let us not establish now an evil precedent by encouraging men to take their time and their strength in doing work which does not belong to their regular duties, and then encourage them in lobbying with their friends to have an amendment like this placed on an appropriation bill. It seems to me that is the precedent that is now to be set.

I do not know anything about the merits of this particular work; but if the various societies throughout the country, if the various officers throughout the country, if the War Department or any of the various bureaus of that Department want this work done, let us see that it is provided for in the regular way. [Applause.]

Mr. SLAYDEN rose.

Mr. HULL. How much time does the gentleman from Texas desire?

Mr. SLAYDEN. Mr. Speaker, how is the time controlled?

The SPEAKER pro tempore. By the gentleman from Iowa [Mr. HULL]. He has the floor.

Mr. HULL. How much time does the gentleman want?

Mr. SLAYDEN. I was under the impression that, in view of the peculiar parliamentary status, I, as a member of the committee or as a member of the House, should have the right to certain time—that I should have recognition.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that the gentleman from Iowa [Mr. HULL] lost control of the time by being defeated on his motion.

Mr. HULL. Mr. Speaker, I do not need to say a word on that.

The SPEAKER pro tempore. The point made by the gentleman from New York comes too late. The gentleman from Iowa was recognized by the Chair and has an hour. At the end of that time the Chair will recognize any other gentleman in his own right.

Mr. SLAYDEN. Mr. Speaker, I merely wanted to know the parliamentary situation.

Mr. HULL. How much time does the gentleman want?

Mr. SLAYDEN. Oh, two or three minutes.

Mr. HULL. I yield five minutes to the gentleman and will yield more, if he wants it.

Mr. SLAYDEN. Mr. Speaker, the gentleman from Minnesota [Mr. STEVENS] has so clearly and so amply discussed the amendment now under consideration that I would not say a word were it not that I know it is a physical impossibility for gentlemen sitting on this side of the House to have heard all that he said. This amendment is to pay a clerk in the War Department \$5,000 for a compilation of the names of officers of the United States Army. There is no demand for that publication among the people and taxpayers of this country, that I know of. A demand has been created by very skillful lobbying in certain official circles, and the purpose of the amendment is to appropriate \$12,000 of the people's money out of the public Treasury and to print a book, to be given away to a few gentlemen who would probably be able to buy it if it were printed by an ordinary publisher in the ordinary way of business. When it was first brought to my attention, I think by the officer himself, it was stated that there was a large and general demand for the book. I said to him that if that were true he was fortunate in being the possessor of such a manuscript, and that all he would have to do would be to take it to a publisher, get it printed and sell it and meet that large demand. He evidently did not believe that the large demand existed, because the price asked by the author has very materially fallen since then, and now it is proposed to take the entire sum out of the public Treasury.

Mr. HULL. Mr. Speaker, if there is no other gentleman who desires to speak on the matter, I ask for a vote on the amendment.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Iowa, that the House recede from its disagreement to amendment No. 3 of the Senate and concur in the same.

The question was taken, and the Speaker pro tempore announced that the yeas seemed to have it.

Mr. STEELE. Let us have a division.

Mr. HULL. I do not care for a division.

Mr. STEELE. Mr. Speaker, I call for a division.

The House divided; and there were—ayes 30, yeas 71.

So the motion was lost.

Mr. HAY. Mr. Speaker, I move to nonconcur in amendment No. 20.

The SPEAKER pro tempore. The gentleman moves to further insist on our disagreement?

Mr. HAY. Yes.

The SPEAKER pro tempore. The gentleman from Virginia moves that the House further insist on its disagreement to the amendment of the Senate No. 3.

Mr. HAY. No, Mr. Speaker, we have just passed on No. 3.

The SPEAKER pro tempore. The Chair begs the gentleman's pardon. What is the gentleman's motion?

Mr. HAY. I move to nonconcur in Senate amendment No. 20.

The SPEAKER pro tempore. The House must first dispose of No. 3. The House has refused to recede and concur so far as No. 3 is concerned. Now, then, the proper motion, if the Chair might be allowed to suggest it, would be that the House further insist on its disagreement to amendment No. 3.

Mr. HAY. Very well, Mr. Speaker, I make that motion to further insist.

Mr. SLAYDEN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SLAYDEN. I do not know that I quite caught what the Speaker said. The House, having voted not to concur in the Senate amendment No. 3, is now in a position where a motion to further insist upon its disagreement is necessary, do I understand?

The SPEAKER pro tempore. That is the judgment of the Chair.

Mr. BARTLETT. And that motion has been made.

The SPEAKER pro tempore. The Chair will have the Clerk read from Jefferson's Manual.

The Clerk read as follows:

Third. To recede. You may then either insist or adhere.

Fourth. To insist. You may then either recede or adhere.

Fifth. To adhere. You may then either recede or insist.

Consequently the negative of these is not equivalent to a positive vote the other way. It does not raise so necessary an implication as may authorize the Secretary by inference to enter another vote; for two alternatives still remain, either of which may be adopted by the House.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Virginia, that the House further insist on its disagreement to Senate amendment No. 3.

The question was taken, and the motion agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

Mr. HULL. Mr. Speaker, the House understands what the amendment is, and I ask unanimous consent that the reading of it be dispensed with.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that the reading of the amendment be dispensed with. Is there objection?

There was no objection.

The amendment is as follows:

And any officer of the Army now on the active list below the grade of major-general who served with credit as an officer or an enlisted man in the regular or volunteer service during the civil war before April 15, 1865, may when retired be retired by the President, by and with the advice and consent of the Senate, with the rank and retired pay of the next higher grade. This section shall apply to officers who have been retired on or since the 11th day of August, 1868, and all those now on the retired list, without regard to length of service, who served with credit as officers or as enlisted men in the regular or volunteer forces during the civil war prior to April 15, 1865, otherwise than as a cadet, and whose names are borne on the Official Register of the Army, and who have heretofore been retired on account of wounds received or disability incurred in the line of duty, or on account of age, or who have received the Congressional medal of honor, but shall not apply to any officer who has been placed on the retired list by virtue of any special act of Congress, nor to any officer who has already received an advance of grade at the time of retirement, or with a view to retirement: *Provided*, That in conferring the promotions authorized by this act the grades of first and second lieutenants shall be held to be one and the same grade.

Mr. HAY. Mr. Speaker, I move that the House nonconcur.

The SPEAKER pro tempore. The gentleman from Virginia moves that the House further insist on its disagreement to the amendment of the Senate numbered 20, and the gentleman is recognized.

Mr. HAY. Mr. Speaker, I do not care to be heard.

The SPEAKER pro tempore. The question, then, is on the motion of the gentleman from Virginia.

The question was taken; and the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 23: On page 18, line 24, after the word "deposits" insert: "Provided, That officers of the Army shall have the right to deposit money upon the same terms as enlisted men, payable at such periods and under such regulations and at such times as the Secretary of War shall prescribe, and bearing interest at 3 per cent per annum."

Mr. HAY. Mr. Speaker, I move that the House further insist upon its disagreement to that amendment.

Mr. HULL. Mr. Speaker, before the vote is taken, I wish to suggest that the Clerk has not read it as it was fixed up in conference.

The SPEAKER pro tempore. The Chair does not understand the gentleman.

Mr. HULL. The Clerk has not read it as fixed in conference. He has read it as originally amended by the Senate. Mr. Speaker, I move to concur in the amendment as amended. The clerk in the enrolling room has the amendment as it will go into the bill.

The SPEAKER pro tempore. The gentleman from Iowa must recollect that the conference report is disagreed to.

Mr. HULL. I understand that, and I beg the pardon of the Chair, because my motion is not in order.

Mr. HAY. I can not hear a word the gentleman is saying.

Mr. HULL. I say as the amendment is reported here none of us is in favor of it, so that I think we are all in favor of insisting on the disagreement to this.

Mr. HAY. I want it understood that my motion is to further insist upon the disagreement of the House to the amendment, as it was amended in conference.

Mr. HULL. Further insist on the disagreement of the House.

Mr. HAY. Yes.

Mr. PARKER. Mr. Speaker, do I understand the gentleman from Virginia to say that he is in favor of the amendment as made in conference on this particular item?

Mr. HAY. No; I am not.

Mr. PARKER. I should like to see if that can be decided here, because, as the proposition has been amended in conference, it seems to be really for the advantage of the Army, and I should like to say a word on that subject, if the gentleman will allow me now.

Mr. HAY. How much time does the gentleman desire?

Mr. PARKER. Only two or three minutes.

Mr. HAY. I yield five minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER. Mr. Speaker, the Senate amendment as originally adopted gave power to any officer to leave or deposit money with the Government, the Government to act as a savings bank. The amendment as agreed to in conference only gave power to the officer to leave part of his pay with the Government by way of savings and to receive thereon the small interest of 3 per cent, the total amount to be so deposited by any one officer not to exceed \$5,000.

The special form of this may be varied, but as to the substance of it the Secretary of War, the Adjutant-General, and other



officers tell us that the young officers getting less than \$200 a month out at frontier posts have no place to deposit their money, and they will spend it all if it is paid into their hands.

Of course we all agree that they ought to be saving toward the day when their expenses will be greater, toward the expense of getting new uniforms when they are promoted, and that the saving of their pay tends to discipline and good order and to promote the character of the officers of a post. If so, they should be encouraged to save some of their pay and should be afforded the opportunity which they have in the East, but which they can not have at some frontier posts. That being so, the purpose of the Senate amendment is right. It would not be right to allow any officer who happens to be rich to deposit his thousands of dollars. It is right to allow small savings to be made by officers as well as by enlisted men. It is not only right, but it is for the good of the Army.

Now, how this matter is to be brought about I do not know. We shall have to vote with the gentleman from Virginia in favor of disagreeing to the amendment of the Senate as it stands, but I think his motion is susceptible to an amendment that we disagree to this Senate amendment unless so amended as to limit the deposits to pay and to provide a reasonable maximum for the amount which may be so deposited. I move this as an amendment to the motion of the gentleman from Virginia.

The SPEAKER pro tempore. The gentleman from Virginia has moved to disagree to Senate amendment No. 23.

Mr. HAY. There seems to be some trouble about the parliamentary situation; that is, that the Senate and House conferees agreed to the amendment of the Senate with an amendment proposed by the House conferees. The amendment proposed by the House conferees is not now before the House. In order to get at this I move the following, that the House instruct its conferees not to agree to any proposition as to deposits of funds by Army officers on interest.

The SPEAKER pro tempore. That motion is not in order at this time. The Chair will state the parliamentary situation. The amendment that the gentleman from New Jersey [Mr. PARKER] would like to concur in was an amendment that was embodied in the conference report, but of course by the action of the House that was set aside, and the question now is on insisting upon the disagreement of the House to the amendment of the Senate numbered 23, or, as the gentleman from New Jersey would like, the Chair infers, to recede and concur in the Senate amendment with an amendment.

Mr. HULL. Mr. Speaker, I think the parliamentary situation is that the motion to recede and concur with an amendment is in order.

The SPEAKER pro tempore. That is in order, and the Chair understood the gentleman from New Jersey, while he did not make that motion, that that was his intent. The gentleman from New Jersey moves to recede from disagreement to Senate amendment 23 and to agree to the same with an amendment, which the Clerk will report.

Mr. HAY. I offer the following substitute.

The SPEAKER pro tempore. The Clerk will report the amendment of the gentleman from New Jersey.

The Clerk read as follows:

*Provided, That officers of the Army shall have the right to deposit their pay with Army paymasters under such regulations as the Secretary of War may prescribe; such deposits shall bear interest at 3 per cent per annum, and shall not exceed in the aggregate \$5,000 for any one officer at any one time.*

Mr. PARKER. Does any gentleman desire any time on this?

Mr. HAY. I offer a substitute.

Mr. PARKER. I have nothing further to say. I believe that this provision is for the good of the Army.

Mr. HAY. I offer a substitute.

The SPEAKER pro tempore. The gentleman from Virginia moves to amend. The Clerk will report the amendment.

The Clerk read as follows:

The House instructs its conferees not to agree to any proposition as to deposits of funds by Army officers on interest.

Mr. HULL. Mr. Speaker, I raise the question that that does not apply at all to the other question.

The SPEAKER pro tempore. The amendment is not in order at this time.

Mr. HAY. The gentleman from New Jersey is through, I believe. I only want to call the attention of the House—

Mr. PARKER. I certainly yield to the gentleman. How much time?

Mr. HAY. I do not want any time from the gentleman. The gentleman stated he was through.

The SPEAKER pro tempore. The gentleman from Virginia has the floor.

Mr. HAY. I just simply want to reiterate what I have said about this question of permitting Army officers to deposit their funds or their pay up to \$5,000 upon interest at 3 per cent, which

this law will require the Government to pay. I trust that members of this House will not encourage that sort of legislation. It is a bad and evil precedent. I do not wish to take up any more time of the House upon a matter with which everybody is familiar. I yield five minutes to the gentleman from Texas.

Mr. SLAYDEN. Mr. Speaker, I shall not use half of the five minutes that the gentleman so courteously yielded me. I want to direct the attention of the House to the fact that the gentleman from New Jersey, in discussing this proposition, used what I believed to be exactly the proper term in describing it. He called it the establishment of a savings bank. My understanding of savings banks has always been that they were business institutions, conducted upon business principles, and that while they paid interest upon their deposits it was less than the amount for which they loaned the money later. This proposition is to compel the Government to pay 3 per cent interest on money, when it can borrow it for 2 per cent.

Mr. CAPRON. Just a word in reply to the gentleman from Texas. I would like to state what perhaps is not remembered by all the members of the House, that already the enlisted men in the Army, without limit, are allowed to deposit with the paymaster any amount of money they please, and receive interest at 4 per cent, which law has been in force for some time. Now, the Adjutant-General of the Army, appearing before the Military Committee, stated that he thought this was a very important provision for the assistance of young officers of the Army. They are ordered to the Philippines, or to the frontier posts, and far away from home and banking facilities. They have no opportunity to deposit savings from their salaries. In case they desire to accumulate a little fund there is no way to keep it save in their pockets. It would not aid any class of officers except those referred to, and it would be used in a very small way, but would be a very great advantage to those young officers going on duty at the beginning of their service to have an opportunity given to them, when there was no other at hand, to have a fund upon which they could draw for their future small needs, that you give them as officers the opportunity for making this deposit. That was the reason the amendment was placed in the bill, and it is to me a very sufficient reason for retaining it, with the limitation of \$5,000—the amount placed upon it in conference as has been reported, and included in the amendment of the gentleman from New Jersey.

Mr. PRINCE. Mr. Speaker, I would like to make a few remarks upon this question as a member of the Military Committee. I heartily concur in what has been said by my colleague on the committee, the gentleman from Rhode Island [Mr. CAPRON]. This opportunity offered to the officer to place some of his money with the Government and receive interest at the rate of 3 per cent per annum is not compulsory upon him, but if he desires to lay away some money to aid him as years are approaching and the responsibilities of later life fall upon him, this gives him an ample opportunity to do it. As the law now is, at least \$4,000,000 are now deposited with the Government by the enlisted soldiers of the Army. They are now receiving 4 per cent for that money.

It was stated before the committee by Maj. Gen. H. C. Corbin, the Adjutant-General of the Army, that the lending of this money by these soldiers to the Army had largely improved the character and standing of the enlisted men. Under this system they feel as if they have some interest at stake. It makes them better soldiers. And I wish to say to this committee that the personnel of the enlisted men of the American Army is equal, if not superior, to that of the enlisted men of any army in the world. The purpose of this measure is to give to young officers of the Army a like opportunity to lay aside some of their money and get 3 per cent interest for it.

But my good friend and colleague from Texas says that there are savings banks. So there are, and they are paying 4 per cent. If the officer desires to make money and is shrewd in business calculations he will place his money at 4 per cent in the savings bank and not at 3 per cent in the Government Treasury. But the opportunity for putting money in the savings banks is not good so far as concerns all the officers. They are scattered practically all over the United States and, in view of our outside possessions, I might say all over the world. Savings banks are not in existence everywhere.

Now, this provision will give the young officer an opportunity to put his money in the hands of the paymaster, in the care of the Government, and to obtain it readily when necessary. By reason of changes made under the military law the officer may be stationed here to-day and to-morrow he may be ordered elsewhere. He may be assigned to duty four years, if you please, at one place and then transferred to another. He may be assigned to duty here to-day and to-morrow, being promoted by reason of his lineal rank, he may be with another regiment; but here is the Government owing him his money and constantly keeping it in readiness for him. If he desires the money when he removes to a

new place he simply draws upon the paymaster, and his account is kept open. He does not have to close it up as with a savings bank; he does not by reason of these changes lose any interest that may be due him.

For reasons like this, and for the good of the service, believing that men who own their homes, men who have property, have not only an interest as citizens, but have a double interest as property owners and as citizens, I believe this provision will tend to the betterment of the young officer, as it has tended to the betterment of the enlisted soldier, and will work no hardship to the Government.

The SPEAKER pro tempore. The question is on the motion that the House recede from its disagreement to Senate amendment No. 23 and concur in the same with the amendment which the Clerk has already reported.

The question being taken, the motion was rejected, there being—ayes 24, noes 47.

Mr. HAY. I move further to insist.

The SPEAKER pro tempore. The gentleman from Virginia moves that the House further insist on its disagreement to Senate amendment No. 23.

The motion of Mr. HAY was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment of the Senate—No. 43.

Mr. RIXEY. Mr. Speaker, I desire to withdraw the demand for a separate vote on that amendment.

Mr. HULL. I move that the House further insist on its disagreement to this amendment.

The motion was agreed to.

Mr. HULL. I move that the House ask a further conference with the Senate on the disagreeing vote of the two Houses on these amendments.

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair will appoint as conferees on the part of the House the gentleman from Iowa [Mr. HULL], the gentleman from Rhode Island [Mr. CAPRON], and the gentleman from Virginia [Mr. HAY].

ELISE SIGEL.

Mr. APLIN. Mr. Speaker, I call up the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 15659) granting a pension to Elise Sigel.

The conference report and the statement of the House conferees, as respectively published on page 2330 of the RECORD, were read.

Mr. APLIN. I move that the report be adopted.

The motion was agreed to.

#### NAVAL APPROPRIATION BILL.

On motion of Mr. FOSS, the House resolved itself into Committee of the Whole on the state of the Union (Mr. GILLET of Massachusetts in the chair), and resumed the consideration of the bill (H. R. 17288) making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes.

The Clerk read as follows:

Navy-yard, Portsmouth, N. H.: Removal of Hendersons Point, to complete, \$549,000; quay wall, to extend, \$75,000; grading, to continue, \$25,000; railroad and rolling stock, additions, \$8,000; sewer systems, extensions, \$4,000; water systems, extensions, \$4,000; tools for yards and docks, additional, \$2,000; locomotive crane and track, to complete, \$50,000; electric plant, extensions, \$15,000; central heating plant, extensions, \$15,000; steel-plant building for construction and repair (to cost not to exceed \$150,000), to continue, \$50,000; blasting in front of quay wall, \$25,000; naval prison, \$25,000 (toward the construction of the naval prison herein authorized there is also hereby reappropriated and made available the unexpended balance of appropriations made by the acts approved March 3, 1901, and July 1, 1902, under the general title "Public Works, Bureau of Yards and Docks," for extension of the naval prison, navy-yard, Boston, Mass.); in all, \$917,000.

Mr. RIXEY. Mr. Chairman, I offer the following amendment:  
The Clerk read as follows:

Strike out all commencing with line 1, page 25, to and including the word "Massachusetts" in line 8, same page.

Mr. RIXEY. Mr. Chairman, this is simply a business proposition. The Secretary of the Navy has reported that the naval prison which is now located at Boston should be removed from the navy-yard at that point. He suggests that it should be removed to Portsmouth, N. H. Portsmouth is one of the active business yards of the Government, and if we are to get rid of the prison at Boston because that is a business yard, it does seem to me that it ought not to be carried to Portsmouth, N. H. In addition to this we have only two naval prisons, one located at Mare Island, on the Pacific coast, and the other at Boston, on the Atlantic coast. Now, if the prison is to be removed from Boston it ought to be located at some central point on the Atlantic coast. The Secretary reports in favor of the removal from Boston, and I doubt not this recommendation is well founded. Several years ago the naval bill carried \$20,000, and last year \$60,000, for the improvement of the naval prison at Boston.

Now, the further improvement of the naval prison at Boston is to be abandoned, and the question is where shall the prison go. It seems to me it ought to go to some central point. We have on the Atlantic coast at Port Royal a navy-yard now owned by the Government and not used for active navy-yard purposes. The Secretary of the Navy, in his hearing before the committee, said that we had spent \$1,300,000 there and we had many buildings which were new and had never been occupied. We have 80-odd acres of land, and the navy-yard at that place has been moved to Charleston, S. C. Now, what is more appropriate than that we should take Port Royal as the place for this naval prison? I understand that the people who are sent to the naval prisons are those confined for the minor offenses, such as desertion, absence without leave, and it is unreasonable to locate this prison at the extreme northern boundary of the Government.

It ought to be located at some point which will be easily accessible; and as we are abandoning Port Royal as a navy-yard, it seems that the 85 acres of land and improvements, costing \$1,300,000, should be utilized for this naval prison. If it goes to Portsmouth, N. H., we will spend a large amount in equipping buildings at that point. It ought not to be located there. As a business proposition it ought to go to Port Royal. As a matter of convenience to the naval establishment it ought to be nearer the center of our Atlantic coast. My motion is to strike out the appropriation for the location of the prison at Portsmouth, N. H.; and if that succeeds, I shall follow it later, when we reach Port Royal, with an amendment authorizing the Secretary of the Navy in his discretion to locate the prison at that point.

Mr. LESSLER. Mr. Chairman, the motives that guided the committee in locating the prison at Portsmouth, N. H., and taking it away from Boston were twofold. In the first place, the Boston yard is growing as well as Portsmouth, and the facilities there are growing smaller each year, and the building now used as a naval prison is very much needed for other purposes, as shown by the hearing, while at Portsmouth they have an island, called Seavey Island, which contains 106 acres and which the Government now owns; and when Henderson Point is removed, as I am given to understand by members from that State, it will add 30 acres to that. In other words, we have here the land now, and to go away down to Port Royal, away from the stations at Norfolk, New York, and Boston, where men work, would add to the expense of transportation an amount greater, I think—although we have not considered that precise question—than even the removal of the prison to Portsmouth, N. H. On page 40 of the Secretary's hearing, the Secretary gives the report of the Advocate-General of the Navy, which shows the number of prisoners confined in Boston. The motive guiding the committee was one of economy and substantial business interest of the Navy, and I hope that the gentleman's amendment will not be concurred in.

Mr. DAYTON. Mr. Chairman, I want to say, in addition to what has been said against this proposed amendment, that some years ago Congress determined to remove the naval station from Port Royal to Charleston, S. C., and it has been the fixed purpose of the Department and, I think, at least of a majority of the committee, to see to it that this station at Port Royal shall be dispensed with. If there be any one single danger to the Navy at the present time, it is that too much of it will get on the land, the danger of having stations established all over the country for the purpose of the land Navy, instead of taking care of the Navy at sea. Port Royal will be a port where comparatively few vessels will come in. It will be out of the way for the delivery of these prisoners. Not a single building there can be utilized for this purpose. It will be a separate institution, which will have to be maintained at a separate cost and at extra cost, if located there.

Mr. RIXEY. Will the gentleman permit an interruption?

Mr. DAYTON. Certainly.

Mr. RIXEY. In the hearings before the Committee Secretary Moody made this statement:

And if we build up the one at Charleston we shall ultimately abandon the one at Port Royal. They are only, from light to light, 55 miles apart. But yet we have property at Port Royal which cost \$1,300,000, roughly speaking, as I recall it, and a good many buildings which are absolutely new and never have been used at all.

Speaking of the disposition of the property, he said:

We paid, roughly speaking, \$17,000 for the land, for 85 acres of land, or rising \$170 an acre on the average. I asked somebody down there what land was worth in that neighborhood. He said: "Well, say \$10 an acre, if you can find anybody that will buy it."

Mr. DAYTON. Mr. Chairman, I am obliged to the gentleman for the statement he has read. It simply reenforces the argument I am making. Not a single dollar of the investment there can be utilized in this naval prison. The only advantage that we would derive from it would be the fact that we own the land there. I insist that it will be for the interests of this Government to dispose of that land at any price as quickly as we possibly can, to avoid the constant danger of building up a separate institution



within 50 or 55 miles of the Charleston Navy-Yard. We have some advantages at Portsmouth. We have the land. We have it properly located, away from the regular navy-yard, upon an island, and at a port where vessels may come and it will be no inconvenience to deliver the prisoners who are to be confined for minor offenses within the prison walls, while if this prison be located at Port Royal it will require in many instances, if not in all, a special trip of many miles by these vessels in order to deliver these prisoners.

It will establish a separate institution to be maintained there and will create a menace—I use that word advisedly—of having something else located there in order to have a Government institution at Port Royal, simply because we have the land. It seems to me the wise policy of Congress is to dispose of, sell out root and branch, that land there at Port Royal and let the naval yard at Charleston be built, if it is to be built, and avoid the danger of having other things located at Port Royal. It has been insisted, I want to say to the members here, that it was our duty to establish a naval training station at Port Royal simply because we had the land and buildings there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, as I recollect the testimony of the Secretary, he stated that we had this investment there of about \$1,300,000, and I think the question was asked him if we could not dispose of it. He said he had made some inquiries trying to ascertain whether we could dispose of it or not, and that he had been unable to find a purchaser, and, as I recollect it, in his opinion we can not dispose of the property we have at Port Royal, S. C.

Mr. DAYTON. Will the gentleman pardon an interruption?

Mr. WILLIAM W. KITCHIN. Certainly.

Mr. DAYTON. That property largely consists of the dry dock which is located there, and the buildings, no one of which, I think the gentleman will admit, could possibly be used for this prison.

Mr. WILLIAM W. KITCHIN. I was just coming to that point. We have 85 acres of land at Port Royal. We have several new buildings there. I do not pretend to say that any one of those buildings would be a suitable prison at present, but I do contend that for one-third of the amount this item carries for a naval prison at Portsmouth, N. H., you can fit one of these buildings as a suitable naval prison. This item carries, as I understand it, \$155,000 for this naval prison at Portsmouth, N. H. That is, there is a direct appropriation of \$95,000 for that purpose and a reappropriation for this purpose of \$60,000 carried in the last bill for enlarging the prison at Boston, but not used, making \$155,000.

So, if you consider it from the point of economy, we will certainly save money in the first instance by making a naval prison of some of these buildings on our property at Port Royal. Then, we should consider that the probability is that the center of our naval operations hereafter will be far south of New Hampshire. The activities in Cuba and in the South American Republics, the building of the isthmian canal, the centering of the great ocean fleets toward that canal, indicate that fact; and all things considered, Port Royal will be nearer the center of our naval activities hereafter than Portsmouth. In fact, it is hardly probable that we will ever have much activity in the North Atlantic. The trouble that the United States may incur, if it incurs any, will probably come from some of the West Indian or South American entanglements, and the base of naval warfare in American waters will be probably to the south of Port Royal.

Mr. LESSLER. Mr. Chairman, what the gentleman states now is a question of probability. Is it not a fact that for the present purposes of the Navy—our navy-yards and where we build ships and where our sailors would go—they are nearer to Portsmouth to-day than to Port Royal?

Mr. WILLIAM W. KITCHIN. I do not know the distances to Portsmouth from the various navy-yards. I should think, though, that from Washington city Port Royal would be nearer than Portsmouth.

Mr. LESSLER. But how about Newport, how about New London, how about New York?

Mr. WILLIAM W. KITCHIN. We have the Washington Navy-Yard, the Norfolk Navy-Yard, and the Charleston Navy-Yard, all nearer to Port Royal than Portsmouth.

Mr. LESSLER. The gentleman knows there is nothing at the Charleston Navy-Yard yet.

Mr. WILLIAM W. KITCHIN. We are to have a navy-yard there. It is already provided for. There is no doubt about having it. But, as a matter of economy, and to get it nearer to the center of our operations and of our Atlantic coast, it seems to me, having the property already there and being able to fit a building there for a naval prison at much less expense than this item carries, that good judgment would adopt the amendment of the gentleman from Virginia.

Mr. FOSS. Mr. Chairman, I should like to say a word on this. The policy of this House and of Congress, as I understand it, in

the past has been to abandon the Port Royal Navy-Yard. We have abandoned that and gone to Charleston, which is only about 50 or 60 miles away. Now, are we going to continue that policy or are we going to adopt another one? Of course the gentleman says, "Why, we have the Government land down there; let us put this prison down there." Next year perhaps some one will come along and say, "Let us put another building there;" and then the next year some one else will say, "Let us put another building there," and in a few years you will have a full-fledged navy-yard right alongside of the Charleston Navy-Yard. That is the trouble with this whole proposition.

Now, the Secretary has been down there and made a careful investigation of this whole matter. He came before the committee and expressed himself in these words. Said he:

If the whole thing could be sold outright to somebody, it would be a good thing for the people in the neighborhood and for the United States.

That is in his printed hearing.

Now, so far as Port Royal is concerned, the water is shallow there. You can not get at it by railroad. And yet you want to establish a naval prison, where you will expect vessels to come in and land the prisoners. The only thing, in my judgment, for us to do, when we are going to abandon Port Royal, is to abandon it or have a full-fledged navy-yard there.

Mr. RIXEY. Will the gentleman tell us why he thinks this naval prison ought to be located at the extreme northern part of our coast? Why not select some central point? If Port Royal will not suit him, why not take League Island or some central place?

Mr. FOSS. You know how cramped our navy-yards are at Boston and New York for room.

Mr. RIXEY. Well, it is likely—

Mr. FOSS. The Secretary of the Navy said we had this island up there in the Portsmouth Navy-Yard, with plenty of land, easily defended, and a proper location for this naval prison.

Mr. WILLIAM W. KITCHIN. I will say to the gentleman that I am informed there is a railroad to Port Royal.

Mr. FOSS. Recently built?

Mr. WILLIAM W. KITCHIN. I do not know. That is my information.

Mr. FOSS. A trolley line?

Mr. WILLIAM W. KITCHIN. I do not know.

The CHAIRMAN. The question is on the amendment of the gentleman from Virginia.

The amendment was rejected.

Mr. FITZGERALD. I move to strike out the last word. I do not intend to antagonize any of the items in this paragraph for improvement of the Portsmouth Navy-Yard. I think it proper, however, to call the attention of the House to what is being done there. It is very remarkable that some years since Congress authorized the building of a dry dock at the Portsmouth yard. The cost was in the neighborhood of \$1,000,000; I have not the exact figures. At the last session of Congress, in order to enable ships to be docked in that dry dock when finished, Congress authorized the expenditure of \$749,000 to remove Hendersons Point and permit vessels to reach the dock.

In the paragraph just read the sum of \$917,000 is appropriated for the improvement of this yard. Every single item estimated for by the Bureau of Yards and Docks, with the exception of one item of \$30,000, has been allowed by the committee. If it be the intention—and I have no doubt the policy is well established—to have two great navy-yards upon the New England coast, it is proper for these appropriations to be made. The Portsmouth yard is within 45 miles of the Boston yard. Admiral Melville, in his report for this year, states that the buildings of the engineering department there are totally unfitted for the use of his department, that the buildings are obsolete, that they were erected before modern appliances had been adopted or even thought of.

This committee can go on and expend these great sums in improving as many of the navy-yards as it desires. It will yet regret the day that it started in to do so. Gentlemen who have most strongly opposed building war ships in the navy-yards of the Government are the ones who have been urging and insisting upon these extravagant expenditures for these navy-yards. The time is coming—indeed, it is at hand—when there will not be sufficient repair work to be done upon vessels of the Navy to keep occupied even two of the great navy-yards of the country, and then Congress will be forced, unwilling, perhaps, to continue the policy, that I believe in, of building some ships in the Government yards.

I do not intend to antagonize a single item in this paragraph. I have prepared some statements which show the amounts estimated for to improve the various yards under the Bureau of Yards and Docks, and the amounts allowed by the committee in this bill. It is of some peculiar significance that yards like Portsmouth, which until about five years ago was practically closed, and Bremerton, in Puget Sound, have been allowed appropriations aggregating over \$900,000, practically every dollar asked, while

the sums for improvements necessary at the Norfolk yard and at the New York yard, the principal yards in the country, have been cut in two.

I do not propose to comment upon the policy of the committee in this respect. It speaks for itself. Recently, in the press of the country, principally, perhaps, around New York, it has been stated that the *Raleigh*, which has been at Portsmouth since 1899, left that yard after having been thoroughly overhauled. It came down the coast, and upon arriving at the New York yard it was necessary to order those repairs to be thoroughly gone over again.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I ask that my time may be extended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his time may be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. To-day I inquired about this matter of the Secretary of the Navy. I was informed that the statement could not be said to be entirely correct; that this ship did take quite a long time to have the repairs completed, because it was practically the first work of the kind done at the Portsmouth yard; that it had not the equipment nor men of sufficient experience required to do the work. I was also informed that this was merely a condition that followed all ships when overhauled or when new vessels were put into commission.

Nevertheless there was something in the rumor. Certainly it is an extraordinary condition of affairs that a vessel is sent to one place to have a certain work done upon it and is then sent to some other place to have it properly completed. It is fortunate, indeed, that there is at least one yard where a vessel can be sent with confidence in the results that will be had there.

Mr. Chairman, I have compiled from the report of the Secretary and from this bill a statement showing the amounts estimated as essential for the proper improvement of the different navy-yards under the Bureau of Yards and Docks and the amounts allowed by the committee and appropriated in this bill for the same purposes.

*Statement of estimates for public works, Bureau of Yards and Docks, and sums allowed and disallowed by Naval Committee in preparing naval appropriation bill.*

	Estimated.	Appropriated.
Navy-yard, Portsmouth, N. H.	947,000	\$917,000
Item for coaling plant extensions, \$30,000, not allowed. (P. 154, Secretary's report.)		
Navy-yard, Boston, Mass.	495,500	290,000
Extension of building No. 39 only item not allowed. Estimate, \$205,000. (P. 156, Secretary's report.)		
Naval station, New London, Conn. (p. 157, Secretary's report.)	2,500	2,500
Navy-yard, League Island, Pa.	359,200	309,200
Item for lumber yard and sheds (\$50,000) not allowed.		
Navy-yard, Washington, D. C.	368,740	224,240
Items estimated for, but not allowed:		
Railway landing bridge	\$30,000	
Fireproof storehouse for naval supplies (to cost \$225,000)	75,000	
Fireproof model storage building	39,500	
Total	144,500	
Navy-yard, Norfolk, Va.	528,000	193,000
Items estimated for, but not allowed:		
Storehouse for supplies and accounts (to cost \$400,000)	\$100,000	
Remodeling building No. 39 for plumbers, etc.	75,000	
Coaling plant	100,000	
Total	335,000	
Navy-yard, Charleston, S. C.	699,500	
The Committee on Naval Affairs, in its report, explains the failure to appropriate for the public works estimated for at Charleston in the following language: "The committee eliminated the appropriations this year for Charleston Navy-Yard because the appropriations for 1903 for buildings at the new station have not been used."		
Naval station, Key West, Fla.	165,000	165,000
Navy-yard, Mare Island, Cal.	273,500	50,000
Items estimated for, but not allowed:		
Paving and grading, to continue	\$10,000	
Sewers and closets, additional	5,000	
Railroad system, extensions	10,000	
Electric plant, extensions	50,000	
Light and power station building	40,000	
Building for metal storage	25,000	
Moving and improving building No. 113	12,000	
Underground conduit system	25,000	
Toilet rooms for naval prison	6,000	
Steam heating and improvements, building No. 45	6,000	
Extension to electrical workshop	25,000	
Fittings for chapel	1,000	
Extensions of brass foundry	7,000	
Bridge between buildings Nos. 45 and 65	1,500	
Total	223,500	

*Statement of estimates for public works, Bureau of Yards and Docks, etc.—Continued.*

	Estimated.	Appropriated.
Navy-yard, Puget Sound, Wash.	\$310,200	\$295,200
All works estimated for allowed. Total cost of crane and track about dry dock reduced \$10,000; cost of officers' quarters reduced \$5,000. Appropriations for two items increased \$500 over estimates.		
Navy-yard, Pensacola, Fla.	143,000	23,000
Appropriation for equipment building not allowed, \$120,000.		
Naval station, New Orleans, La.	76,800	111,800
All items estimated for allowed, and \$25,000 additional allowed to pay award of condemnation suit for land.		
Naval station, Tutuila	34,000	34,000
Navy-yard, New York, N. Y.	501,500	282,000
Estimates for which appropriations have not been made:		
Coal-storage and coal-handling plant, extension	\$25,000	
Extending locomotive crane track	30,000	
Storehouse for naval-supply fund stores, to complete	8,000	
Fireproofing building No. 33 for coffee-roasting plant	45,000	
Ordinance building, to replace buildings Nos. 79, 80, and 83	100,000	
Repairing and rebuilding crane track around dry dock No. 1	16,000	
Total	224,000	
Four thousand five hundred dollars is appropriated for extension of building No. 116, not in estimates submitted.		

In hearing before Naval Committee it developed that \$8,000 for storehouse for naval-supply fund stores was covered by another item.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HEPBURN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 3635. An act to provide for the purchase of a site and the erection of a building thereon at Oregon City, in the State of Oregon;

S. 3214. An act to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes;

S. 7051. An act to extend the limit of cost for the United States post-office building at Marblehead, Mass.; and

S. 4115. An act granting a pension to Judson E. Walker.

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 67.

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 3,000 copies of the English translation of the proceedings of the Cuban constitutional convention, 1,700 copies for the use of the House of Representatives, 1,200 for the use of the Senate, and 100 copies for the use of the War Department.

Senate concurrent resolution 68.

*Resolved by the Senate (the House of Representatives concurring).* That there be printed in English and Spanish 1,700 copies of the civil orders issued during the occupation of Cuba by the United States, 1,000 copies for the use of the House of Representatives, 500 copies for the use of the Senate, and 200 copies for the use of the War Department.

Senate concurrent resolution 69.

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 2,000 copies of the report of the War Department on the receipts and expenditures in Cuba during its occupation by the United States, 1,000 copies for the use of the House of Representatives, 750 copies for the use of the Senate, and 250 copies for the use of the War Department.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 15804) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1904, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. STEWART, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1605. An act granting a pension to John S. Whitlege;

H. R. 13257. An act to refund penalty to the Bank of Colfax, Iowa; and

H. R. 7648. An act to authorize the construction of a bridge across the Missouri River and to establish it as a post-road.



## NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Navy-yard, Boston, Mass.: Sewer system, extensions, \$15,000; electric-light plant, extensions, \$15,000; water-closets, additional, \$5,000; paving, to continue, \$50,000; drains, \$5,000; railroad system, extensions, \$24,000; pile driver, \$6,500; tools for yards and docks, \$10,000; paint shop for construction and repair, \$35,000; steel shears, improvements to, \$15,000; refitting and improving buildings 42 and 43, \$40,000; central heating system, extensions, \$30,000; extension of building No. 107, \$50,000; in all, navy-yard, Boston, \$290,500.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent that this section may be passed over, to await a communication from the Secretary of the Navy, which I understand is being prepared to be forwarded to the chairman of the committee.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that this section be passed over. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Navy-yard, New York, N. Y.: Paving and grading, to continue, \$30,000; dredging, to continue, \$25,000; railroad system, extensions, \$15,000; improvements to building No. 126, \$15,000; electric plant, extensions, \$30,000; quay wall between dry docks Nos. 2 and 3 (to be immediately available), \$25,000; rebuilding wharves on cob dock, \$25,000; new roof for building No. 23, \$20,000; piers, additional, \$100,000; coal bins and tracks for yards and docks (to be immediately available), \$2,500; extension of building No. 116, \$4,500; in all, navy-yard, New York, N. Y., \$282,500.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert in line 17, page 23, after the word "dollars," the following: "Repairing and rebuilding crane track around dry dock No. 1, \$16,000."

Mr. FITZGERALD. Mr. Chairman, the report of the Secretary of the Navy in the recommendations and estimates for improvements at the navy-yard at New York asks for appropriations aggregating \$501,200. The committee in the bill has allowed \$282,500, and thus has omitted a number of items. This amendment will authorize one of the items omitted by the committee. The report of the Secretary on this item says:

A considerable amount has been expended lately on repairs of this track. Owing to the rotting of the pile foundations radical repairs are necessary, and this appropriation is asked that the track may be put in first-class condition.

The piling upon which the track for this crane is built has been in bad condition. There is required for this crane, carrying heavy pieces of material, a solid foundation. This appropriation is essential to prevent what may be some day a serious accident. There are some other items which have been estimated for which I will not press upon the committee, because the committee having considered them and decided that they should not be allowed at this time, I will not question their judgment. But I refer to what is contained in the Secretary's report, "that on account of the rottenness of the piling supporting this track around this dry dock radical repairs are necessary," as an urgent reason for the adoption of this amendment. It is simply in the interest of the safety of the men engaged about that dry dock and for the protection of the work being done in it that I offer the amendment, and I hope the chairman will accept it.

Mr. FOSS. Mr. Chairman, I call for the reading of the amendment.

The Clerk again read the amendment.

Mr. FITZGERALD. It is one of the items of page 158 of the Secretary's report.

Mr. FOSS. I have no objection to it.

The question was considered; and the amendment was agreed to.

The CHAIRMAN. That will necessitate a change of the total.

Mr. FOSS. Yes; and I ask unanimous consent that the Clerk may make the change.

The CHAIRMAN. Without objection, the Clerk will make the necessary change in the total.

There was no objection.

The Clerk read as follows:

Navy-yard, Puget Sound, Washington: Sewer system, extensions, \$5,000; to continue grading, \$30,000; fire-protection system, extensions, \$10,000; electric-light plant, extensions, \$3,000; telephone system, extensions, \$1,000; railroad and equipment, extensions, \$10,000; boat shop for construction and repair, to continue (to cost not to exceed \$150,000, for which contract is hereby authorized), \$50,000; water-closets, additional, \$2,500; water system, extensions, \$8,000; foundry and copper-smith's shop, to complete, \$50,000; boiler and blacksmith shop, to complete, \$50,000; heating system, extensions, \$3,000; extension of dry-dock boiler plant, \$10,000; extension of general office building, \$5,000; two officers' quarters, \$10,000; sick quarters, to complete, \$4,200; locomotive crane and track about dry dock (to cost \$90,000), \$40,000; timber floats and gangway bridges, \$2,000; garbage scow, \$1,500; in all, navy-yard, Puget Sound, Washington, \$235,200.

Mr. JONES of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the word "dollars," in line 6, page 30, insert the following: "Sawmill and accessories, \$35,000."

Mr. JONES of Washington. Mr. Chairman, I appreciate the liberality with which the committee has treated our navy-yard,

and if I did not think this would be an economical thing on the part of the Government I would not ask the committee to adopt it, and after I have explained the matter if the committee should not agree with me I shall not press it strongly. No estimate has been sent in by the Secretary of the Navy for this appropriation. I will say that the Bureau of Construction and Repair, however, requested the Bureau of Yards and Docks to send an estimate for this appropriation to the Secretary of the Navy.

This was not done, or if it was sent, it was cut out. I will say, however, that the Department is heartily in favor of this appropriation, and while the Secretary of the Navy told me that he did not feel that it would be proper for him to send a further estimate in to the committee, yet, he stated, he would authorize the admiral of the Bureau of Construction and Repair to give me the facts in regard to this matter so that I could present it. I did not get the facts in time to present to the committee before they had decided on their bill. In a letter under the date of January 19 from the Bureau of Construction and Repair they state that "in a letter from this Bureau to the Bureau of Yards and Docks dated July 31, 1902, it was requested that the Bureau include in its estimate for the next fiscal year estimates for a new sawmill," and in the letter of December 5, 1902, they estimated the cost at \$35,000, the amount I have put in the amendment I have just submitted.

A provision for this sawmill has been recommended and estimated for by the local contractor at the yard for several years past, and under date of January 20 they sent me a letter from the Bureau of Construction and Repair, giving the recommendation of the local constructor, as follows:

BUREAU OF CONSTRUCTION AND REPAIR,  
NAVY DEPARTMENT,  
Washington, D. C., January 20, 1903.

DEAR SIR: In further reply to your letter of the 19th instant to Admiral Bowles relative to sawmill at Puget Sound Yard, I have the pleasure to quote an extract from a report by the naval constructor at that yard, under date of July 16, 1901:

"A sawmill is an important adjunct to any navy-yard, not necessarily for sawing lumber from the log, but for resawing stock timbers for the joiner shop and for dry-dock use.

"The necessity of having to order all lumber of the exact sizes required for work delays its completion in many ways and causes orders of small quantities in many cases to be placed in the sawmills which they are reluctant to accept.

"Even in a country such as the Sound district, where lumber is one of the principal industries, this is found to be a serious handicap on the work of the yard and has prevented the purchase of stock lumber for general purposes.

"In addition to this, however, it is certainly needless to point out the very great advantage of establishing a Government sawmill in the very center of the lumber district, where logs can be purchased at the cheapest figure and transported in booms as readily as to any other mill on the Sound.

"A sawmill at this yard, with suitable dry kilns and storage sheds, could furnish all the deck plank and miscellaneous pine lumber required by the Navy on the coast, and it would be a valuable investment in point of economy.

"Large quantities of this lumber have already been shipped to the naval station and vessels in the Far East, all of which could with advantage be prepared at this yard and shipped in Government vessels.

"In the general plan submitted provision has been made for a large establishment of this kind with dry kilns and storage sheds arranged according to the best practice on the Sound; from the wharves next the mill vessels can be readily loaded, while the space near by will be available for keeping a large quantity of logs in booms.

"The effect upon the lumber industry of the district of establishing such a mill at this yard could not be objectionable, for aside from the fact that the sum total of such work would be small compared with the output of the large mills here, the rigid inspection of the standard specifications makes it difficult to secure from them the quality of lumber required. Moreover, it is almost impossible to obtain air-dried lumber. The mills have such a large demand that it is not customary to keep lumber in stock sufficiently long to season it. Practically all of their lumber is shipped green or kiln dried.

"At the navy-yard stock lumber could be cared for in the best manner indefinitely and with no loss, could be selected to suit the standard specifications, and after a short time sufficient could be accumulated to suit all.

"Request has already been made for the plant hereby contemplated, and it is urged that this receive careful consideration.

"It is proposed that this plant shall contain a separate boiler installation suitable for consuming the waste from the mill; that the generators needed for power for some of the mill tools and for all of the joiner-shop tools be installed here, utilizing the generators now on hand when larger machines for the main plant have been secured."

## ESTIMATES.

Sawmill machinery, including 10-inch band saw, automatic fling machinery, log turners, brow, gang saws, edgers, trimmers, cut-off saws, and resaws.	\$9,000
Planing-mill tools and installation.	4,000
Installation dust collectors and bins.	5,000
Boiler plant, main engines and installation.	12,000
Dry kilns.	6,000
Total.	36,000

I also quote for your information extract from letter of July 10, 1900, from the assistant naval constructor at the Puget Sound Station, which is the original recommendation on this subject, as follows:

"I recommend that a modern steam sawmill be constructed at this station, to be located approximately as shown. This sawmill should be capable of handling logs 60 inches in diameter and 60 feet long, should be equipped with a large band saw, edging machine, cut-off saws, dimension planer, two small planers, and automatic saw-sharpening machines. It is recommended that preserved piles be used in the building and for the wharves; that the building be of galvanized iron, and of dimensions 225 by 300 feet.

"Logs can be purchased here in any quantity at reasonable prices, and I am convinced that yellow fir, particularly the second growth, if sawn and

air-seasoned for about one year, is the cheapest and best available wood for deck planking. Heavy timbers of all kinds could be cut at small cost, both for this station or elsewhere, as might be required. Railroad cars could be brought over on scows from Seattle and conveniently loaded, as is the practice at many of the larger sawmills in this region. The estimated cost of this installation, including boilers, engine, sawmill machinery, building, and wharves, is \$90,000."

"Trusting that this information may be all that you can wish in regard to this matter, I am,

Very respectfully,

Hon. W. L. JONES,  
United States House of Representatives,  
Washington, D. C.

BUREAU OF CONSTRUCTION AND REPAIR,  
NAVY DEPARTMENT,  
Washington, D. C., January 19, 1903.

MY DEAR SIR: Referring to your letter of the 19th instant to Admiral Bowles, I beg to inform you that the Admiral is out of town for some days. I have therefore forwarded your letter to the Secretary of the Navy, with the following statement of facts:

"In a letter from this Bureau to the Bureau of Yards and Docks, dated July 31, 1902, it was requested that the Bureau of Yards and Docks should include in its estimates for the next fiscal year estimates for a new sawmill. In a letter dated September 5, 1902, to the Bureau of Yards and Docks, the estimated cost of this sawmill and wharf of wood, with wooden roof, tin sheathing, two wood floors, brick boiler house, and shaving bin of brick, steel roof, with steel ceiling, was \$35,000. These recommendations were in accordance with the recommendations made by the naval constructor at the navy-yard, Puget Sound, in his annual report dated July 7, 1902, as follows:

"In former reports I have pointed out the necessity of including a sawmill in the construction plant, not only for the economical and rapid prosecution of work, but as being particularly advantageous at this yard for sawing stock lumber from the log.

"In plan No. 790 there has been outlined the general arrangement of a mill of moderate size, and a suitable location has been indicated in plan No. 746, in proximity to the joiner shop and having in the rear the dry kilns and lumber yards with sheds for stowage of stock.

"This mill should be modeled after the mills of this neighborhood; with a separate boiler plant burning the waste from the mill; the saw and its accessories being driven by steam and the remainder of the machinery by electricity, obtained from the small generators now on hand, and installed in the mill.

"In my opinion it is not necessary that this building should be of anything more than of wood construction."

"The estimate for this building does not appear in the annual report of the chief of Bureau of Yards and Docks to the Department."

Very respectfully,

H. G. SMITH,  
Naval Constructor, United States Navy.

Hon. W. L. JONES,  
United States House of Representatives,  
Washington, D. C.

Now, Mr. Chairman, these are the facts in reference to this matter. The demand for lumber has increased, and the price of lumber has come up very largely. The lumber mills have orders for months ahead of their capacity. Prices are high, much delay in work is caused, and I believe by the adoption of this amendment and the establishment of the sawmill at that point, by reason of the local conditions and local surroundings, and the necessities of the yard, it would in a short time save to the Government the amount of its cost. I submit to the committee this amendment upon this statement of facts.

Mr. FOSS. Mr. Chairman, of course I would like to please the gentleman very much in regard to this matter, but it strikes me that this provision, inasmuch as it has not come from the Secretary of the Navy to the committee in the regular way in the estimates, was evidently not regarded by him or by the Department as very pressing this year.

Of course, we all realize that it is a difficult matter to keep down these estimates, by reason of the constant pressure from all sides; but the committee has gone over all of them, has given them the most careful and serious consideration, and has provided for those things which it believed to be necessary for this year.

Now, I think there is plenty of work for that station during the coming year to do in erecting the buildings provided for last year and in carrying out the new constructions provided for in the bill this year. They will have all they can do to carry out these provisions.

The question being taken, the amendment of Mr. JONES of Washington was rejected.

Mr. JONES of Washington. I ask unanimous consent to print with my remarks certain letters.

There was no objection.

The Clerk read as follows:

In all, public works, \$3,757,940.

Mr. FOSS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert as a new paragraph, after line 18, page 31, the following:

"Public works, secretary's office: For necessary expenditures incident to the occupation and utilization of the naval station at Guantanamo, to be used for such purposes as the Secretary of the Navy may direct, \$100,000.

Mr. FOSS. I ask the Clerk to read the letter which I send to the desk.

The Clerk read as follows:

NAVY DEPARTMENT,  
Washington, February 17, 1903.

SIR: Referring to the cession by Cuba to the United States of a site for a naval station at Guantanamo, it is particularly desirable that an appropriation be made, to be used by direction of the Secretary of the Navy, for the purposes of occupation and utilization of said station. It is impracticable at this time to state definitely what expenditures in detail are necessary or desirable to be made in connection with such occupation and utilization, but a sum not less than \$100,000 should be available. I therefore recommend that the following be incorporated in the naval appropriation bill, under the caption "Public works, Secretary's Office:"

"For necessary expenditures incident to the occupation and utilization of the naval station at Guantanamo, Cuba, to be used for such purposes as the Secretary of the Navy may direct, and to be immediately available, \$100,000."

Inclosed herewith is a statement showing approximately the general purposes and the funds required, which present themselves to the Department as desirable for taking immediate steps to promote the usefulness and availability of this station.

Very respectfully,

W. H. MOODY,  
Secretary

Hon. GEORGE EDMUND FOSS,  
Chairman Committee on Naval Affairs,  
House of Representatives.

MEMORANDUM FOR IMMEDIATE EXPENDITURES AT GUANTANAMO.

For the necessary examination, surveys, and plans for the improvement and development of the station	\$10,000.00
For the handling and transportation and preserving of materials and stores, for the care of the station and its buildings, for grading, protection of the water front, and for other general purposes under the head of maintenance	28,000.00
For storehouses	10,000.00
For buildings to be used for quarters for marines and for others on duty at the station, for their equipment and stores	20,000.00
For magazines	2,000.00
For wharves or piers	10,000.00
For preliminary work in connection with the waterworks, including a temporary supply	20,000.00

The amendment was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. LOUDENSLAGER having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On February 18, 1903:

H. R. 7. An act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army;

H. R. 3503. An act for the relief of the estate of M. J. Grealish, deceased;

H. R. 8663. An act to remove the charge of desertion from the military record of Charles F. Woodford and grant him an honorable discharge;

H. R. 11127. An act for the relief of the Propeller Tow Boat Company, of Savannah;

H. R. 11544. An act to correct the military record of Thomas J. Morman;

H. R. 16602. An act to extend the time granted to Muscle Shoals Power Company by an act approved March 3, 1899, within which to commence and complete the work authorized in the said act to be done by said company, and for other purposes;

H. R. 16646. An act to authorize the construction of a bridge across Bogue Chitto, in the State of Louisiana; and

H. R. 16975. An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Eastern Railroad Company.

LEGISLATIVE APPROPRIATION BILL.

Mr. HEMENWAY submitted a report of the committee of conference on the disagreeing votes of the two Houses on the legislative, executive, and judicial appropriation bill, with a statement of the House conferees.

The report and statement, ordered to be printed in the RECORD, under the rule, are as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16021) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 36, 37, 40, 41, 42, 44, 47, 48, 50, 52, 53, 60, 64, 67, 69, 70, 71, 83, 84, 88, 90, 91, 109, 125, 126, 127, 130, 132, 133, 134, 139, 144, 145, 147, 156, 159, 160, 161, 163, 163, 164, 166, 177, 183, 184, 192, 193, 202, 203, 204, 210, 211, 218, and 231.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 34, 38, 39, 43, 45, 49, 56, 57, 58, 59, 61, 62, 65, 66, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 85, 87, 89, 92, 94, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 116, 117, 119, 120, 121, 122, 123, 124, 129, 135, 136, 137, 140, 142, 143, 146, 150, 151, 153, 154, 155, 157, 165, 167, 169, 170, 171, 172, 173, 174, 175, 176, 178, 179, 180, 181, 186, 187, 194, 195, 196, 197, 198, 199, 200, 201, 205, 206, 209, 216, 217, 219, 220, 221, 223, 224, 225, 226, 227, 228, 229, 230, 232, and 234, and agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an



amendment as follows: In lieu of the sum proposed insert "\$75,000;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: On page 14 of the bill, in lines 16 and 17, strike out the words "seven hundred and twenty" and in lieu thereof insert the words "one thousand;" and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$90,200;" and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,980;" and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,080;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$90,000;" and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$101,300;" and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$172,200;" and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$44,430;" and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$670,440;" and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$386,210;" and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "one clerk of class 4;" and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said Senate amendment insert the following: "and \$250 additional for services as actuary;" and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$19,426;" and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$26,600;" and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,510;" and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$56,900;" and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$21,760;" and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,750;" and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,250;" and the Senate agree to the same.

Amendment numbered 152: That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with amendments as follows: After the word "and" at the end of the matter inserted by said amendment, insert the words "such successors thereof," and on page 80 of the bill, in line 20, after the word "bureaus," insert the words "and in whatever grades of the classified service they may be assigned;" and the Senate agree to the same.

Amendment numbered 158: That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$16,800;" and the Senate agree to the same.

Amendment numbered 168: That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$128,980;" and the Senate agree to the same.

Amendment numbered 182: That the House recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$143,420;" and the Senate agree to the same.

Amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,500;" and the Senate agree to the same.

Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,000;" and the Senate agree to the same.

Amendment numbered 189: That the House recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$250;" and the Senate agree to the same.

Amendment numbered 190: That the House recede from its disagreement to the amendment of the Senate numbered 190, and agree to the same with

an amendment as follows: In lieu of the sum proposed insert "\$4,500;" and the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$51,900;" and the Senate agree to the same.

Amendment numbered 207: That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,250;" and the Senate agree to the same.

Amendment numbered 208: That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$309,800;" and the Senate agree to the same.

Amendment numbered 212: That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,500;" and the Senate agree to the same.

Amendment numbered 213: That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate agree to the same.

Amendment numbered 214: That the House recede from its disagreement to the amendment of the Senate numbered 214, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,500;" and the Senate agree to the same.

Amendment numbered 215: That the House recede from its disagreement to the amendment of the Senate numbered 215, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,500;" and the Senate agree to the same.

Amendment numbered 222: That the House recede from its disagreement to the amendment of the Senate numbered 222, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$186,440;" and the Senate agree to the same.

Amendment numbered 233: That the House recede from its disagreement to the amendment of the Senate numbered 233, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$26,320;" and the Senate agree to the same.

J. A. HEMENWAY,  
L. F. LIVINGSTON,  
*Managers on the part of the House.*  
S. M. CULLOM,  
F. E. WARREN,  
F. M. COCKRELL,  
*Managers on the part of the Senate.*

#### STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16021) making appropriations for legislative, executive, and judicial expenses for the fiscal year 1904, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the amendments of the Senate, namely:

On Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, all relating to the Senate: Provides for the employees for that body in the number and at the rates of compensation proposed in said amendments, and appropriates \$75,000, instead of \$50,000, as proposed by the House, and \$100,000, as proposed by the Senate, for miscellaneous or contingent expenses of the Senate.

On No. 32: Appropriates \$1,600, as proposed by the Senate, instead of \$1,200, as proposed by the House, for expenses of compiling the Congressional Directory.

On Nos. 33, 34, and 35: Provides \$1,000 each for the janitors of the Committees on Ways and Means and Appropriations of the House, and \$1,600 for an assistant clerk to the House Committee on the Judiciary.

On Nos. 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55, relating to the Library of Congress: Strikes out the proposed addition of one stenographer and typewriter at \$1,000 in the office of the Librarian; provides for the assistant in charge of the mail and supply division at \$1,500 instead of \$1,200; strikes out the proposed increase of \$200 in each of the salaries of two assistants in the catalogue and shelf division; fixes the compensation of the chief of the division of bibliography at \$3,000 instead of \$2,500; strikes out the proposed increase of \$200 in the salary of one assistant, and provides for an additional stenographer at \$900 in that division; strikes out the proposed increase of \$200 in the salary of the assistant in the document division; fixes the salary of the chief of the maps and charts division at \$3,000 instead of \$2,500, and strikes out the proposed increase of \$200 in the salary of one assistant in that division; strikes out the proposed increase of \$200 in the salary of the assistant in the division of prints, and appropriates \$90,000 instead of \$80,000, as proposed by the House and \$100,000 as proposed by the Senate, for purchase of books for the Library.

On No. 56: Appropriates \$12,593.75, as proposed by the Senate, instead of \$12,083.75, as proposed by the House, for assistants and laborers in the Botanic Garden.

On Nos. 57 and 58: Provides for an additional laborer at \$600 in the Executive Office.

On No. 59: Corrects a total.

On Nos. 60, 61, 62, 63, 64, and 65, relating to the Department of State: Strikes out the proposed increase of \$150 in each of the salaries of 8 chiefs of bureaus; provides for one additional clerk at \$1,600, and one additional clerk at \$1,200; strikes out the proposed increase of \$500 for books and maps for library; and appropriates \$4,000, as proposed by the Senate, instead of \$3,500, as proposed by the House, for contingent expenses.

On Nos. 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, and 79, relating to the divisions in the office of the Secretary of the Treasury: Increases the salary of the Government actuary from \$2,000 to \$2,250, and strikes out the proposed increase of one additional clerk at \$1,400; strikes out the proposed increase of \$400 in the salary of one clerk in the office of the chief clerk and superintendent; provides for an additional laborer at \$600 in the division of customs; provides for an additional laborer, at \$600, in the division of Revenue-Cutter Service, and that the probationary term of cadets in the Revenue-Cutter Service shall be three years instead of two years; and increases the salary of one clerk \$200 in the miscellaneous division.

On Nos. 80 and 81: Perfects the text of the bill as proposed by the Senate.

On Nos. 82, 83, 84, 85, and 86, relating to the office of the Auditor for the Post-Office Department: Provides for 2 additional clerks, at \$1,600 each, and 1 additional clerk, at \$900, and strikes out proposed increase of 2 clerks, at \$1,400 each, and 2 clerks, at \$1,200 each.

On Nos. 87, 88, 89, 90, 91, 92, and 93, relating to the office of the Treasurer: Provides for 1 additional clerk, at \$1,200, and 2 additional clerks, at \$900 each; strikes out 1 additional clerk, at \$1,000, and 2 additional counters, at \$720 each; and the proposed increase in salary of one of the pressmen.

On Nos. 94, 95, and 96: Increases the salary of the Assistant Register of the Treasury from \$2,250 to \$2,500 and makes a correction in the text of the bill.

On Nos. 97, 98, and 99: Increases the salary of the Deputy Comptroller of the Currency from \$2,800 to \$3,000 and provides for procuring information relating to banks other than national banks.

On Nos. 100, 101, and 102: Increases the salary of 1 clerk in the Light-House Board from \$1,600 to \$1,800.

On Nos. 103, 104, and 105: Provides for \$500 additional compensation to the General Superintendent of the Life-Saving Service and for an additional assistant messenger, at \$720, in his office.

On Nos. 106, 107, 108, and 109: Increases the salary of the Chief of the Bureau of Statistics from \$3,500 to \$4,000; provides for an additional assistant messenger, at \$720, in his office, and appropriates \$4,000, as proposed by the House, instead of \$5,000, as proposed by the Senate, for payment of services of experts in the collection of facts relative to internal and foreign commerce.

On No. 110: Appropriates \$840, as proposed by the Senate, instead of \$720, as proposed by the House, for rent of a building for the National Bureau of Standards.

On Nos. 111, 112, 113, and 114: Makes verbal corrections in the text of the bill and fixes the salary of the chief clerk of the office of Public Health and Marine-Hospital Service at \$2,500 instead of \$2,250.

On Nos. 115, 116, 117, and 118: Fixes the salary of the chief clerk of the Bureau of Immigration at \$2,750, including \$250 for services as actuary; increases the compensation of the statistician and stenographer in that Bureau to \$2,000 instead of \$1,800, and the compensation of 1 supervising immigrant inspector at \$1,800 instead of \$1,600.

On Nos. 119, 120, 121, 122, and 123, relating to the contingent expenses of the Treasury Department: Provides for increasing the same as follows: For newspapers, books, etc., \$300; purchase of horses and wagons, \$500; purchase of fuel, etc., \$2,500; purchase of gas, electric current, etc., \$1,000, and purchase of carpets, etc., \$500.

On Nos. 124, 125, 126, 127, and 128: Provides for 2 additional clerks, at \$1,400 each, and strikes out 1 additional clerk, at \$1,200, in the office of the assistant treasurer at Baltimore.

On Nos. 129, 130, and 131: Provides for an assistant teller, at \$1,600, and strikes out an additional clerk, at \$1,200, in the office of the assistant treasurer at Boston.

On Nos. 132, 133, 134, 135, 136, 137, and 138: Strikes out the proposed increase in the salary of the vault clerk, paying teller, and receiving teller in the office of the assistant treasurer at Chicago, and provides for 1 additional bookkeeper and 1 clerk, at \$1,500 each, and increases the compensation of 1 stenographer from \$720 to \$900 in that office.

On Nos. 139, 140, and 141: Strikes out the proposed increase in the salary of the cashier in the office of the assistant treasurer at Cincinnati, and provides for 2 additional clerks, at \$1,200 each, in that office.

On Nos. 142 and 143: Provides for 1 additional clerk, at \$1,200, in the office of the assistant treasurer at New Orleans.

On Nos. 144, 145, 146, and 147: Strikes out the proposed increase in the salaries of 2 tellers in the office of the assistant treasurer at St. Louis, and provides for a clerk instead of a messenger, at \$1,000, in that office.

On Nos. 148 and 149: Fixes the salary of the assayer in charge of the assay office at Seattle, Wash., at \$2,750, instead of \$2,500, as proposed by the House, and \$3,000, as proposed by the Senate.

On No. 150: Authorizes the legislature of Oklahoma to provide for a Territorial normal school building at Esmond, in that Territory.

On No. 151: Appropriates \$134.50 for traveling expenses of the resident commissioner from Porto Rico.

On Nos. 152, 153, and 154: Provides for certain verbal changes in the provision relating to the employment of temporary clerks in the War Department, so that the provision as corrected will read as follows:

"For continuing the employment of such additional temporary force of clerks, messengers, laborers, and other assistants, rendered necessary because of increased work incident to the war with Spain, as were transferred to the classified service under the provisions of section 3 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes, approved April 28, 1902, and such successors thereof as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, and in whatever grades of the classified service they may be assigned, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the service may demand, \$541,430."

On No. 155: Authorizes the preparation by the Record and Pension Office of the War Department of a roster of the officers and enlisted men of the Union and Confederate armies.

On Nos. 156, 157, and 158: Appropriates \$16,800, instead of \$15,000, as proposed by the House, and \$17,200, as proposed by the Senate, for rent of buildings for use of the War Department.

On Nos. 159, 160, 161, 162, and 163: Strikes out the proposed increase from \$720 to \$780 each in the salaries of the watchmen in the parks in Washington.

On Nos. 164, 165, 166, 167, and 168, relating to the State, War, and Navy building: Increases the salary of the chief engineer from \$1,200 to \$1,400, and the salaries of 4 skilled laborers from \$720 to \$840 each, and strikes out the proposed increase of \$300 in the salary of 1 clerk and of \$200 in the salary of the captain of the watch.

On Nos. 169 and 170: Provides for an additional clerk at \$1,200 in the office of the Secretary of the Navy.

On Nos. 171 and 172: Makes verbal corrections in the text of the bill.

On Nos. 173, 174, 175, and 176: Increases the compensation of the clerk in charge of documents and the custodian in the office of the Secretary of the Interior from \$2,000 to \$2,100 each, and provides for a clerk at \$1,200 to sign for the Secretary of the Interior tribal deeds to allottees and deeds for town lots made and executed for any of the Five Civilized Tribes of Indians.

On Nos. 177, 178, 179, 180, 181, and 182, relating to the Indian Office: Provides for 1 additional clerk at \$1,400, 1 additional clerk at \$1,200, and 1 additional clerk at \$1,000; strikes out 1 copyist at \$900 and the proposed increase of \$200 to 1 clerk acting as disbursing agent.

On Nos. 183 and 184: Strikes out proposed increase in the salary of the captain of the watch for the Pension building from \$840 to \$900.

On No. 185: Appropriates \$2,500, instead of \$2,000 as proposed by the House and \$3,000 as proposed by the Senate, for purchase of books for the Patent Office.

On Nos. 186 and 187: Provides for a draftsman at \$1,000 and an assistant draftsman at \$800, instead of a draftsman at \$1,800, in the office of the Superintendent of the Capitol.

On Nos. 188, 189, 190, and 191: Appropriates \$250, instead of \$500 as proposed by the Senate, for books for the Civil Service Commission, and \$4,500, instead of \$4,000 as proposed by the House and \$5,000 as proposed by the Senate, for rent of a building for the Civil Service Commission.

On Nos. 192, 193, 194, 195, 196, 197, 198, and 199, relating to the offices of surveyors-general: Strikes out proposed increase of \$1,000 for clerks in Alaska, and provides for increases for clerks in offices as follows: In Idaho, \$500; in Minnesota, \$500, and in Nevada, \$1,000.

On Nos. 200 and 201: Increases the compensation of the appointment clerk of the Post-Office Department from \$1,800 to \$2,000.

On Nos. 202, 203, and 204: Strikes out the proposed increase of \$200 in the salary of 1 clerk in the office of the Assistant Attorney-General for the Post-Office Department.

On Nos. 205, 206, 207, 208, and 209: Increases the salary of the First Assistant Postmaster-General to \$5,000, the salary of the Superintendent of the Money-Order System from \$3,000 to \$3,500, and the salary of the chief clerk of the Money-Order System from \$2,000 to \$2,250, and makes a verbal correction in the text of the bill.

On Nos. 210 and 211: Strikes out the proposed increase of 1 clerk, at \$1,200, in the office of the disbursing clerk of the Post-Office Department.

On Nos. 212, 213, 214, 215, 216, and 217, relating to the contingent expenses of the Post-Office Department: Makes increases as follows: For stationery, etc., from \$7,000 to \$7,500; for gas and electric lights, from \$1,000 to \$1,500; for telegraphing, from \$4,000 to \$4,500; for furniture, from \$5,000 to \$5,500; and appropriates \$2,800 for a system of steel document and letter files in the office of the Third Assistant Postmaster-General.

On Nos. 218, 219, 220, 221, and 222: Provides for a disbursing clerk, at \$2,750, in the Department of Justice, and for a messenger, at \$840, instead of an assistant messenger, at \$720.

On Nos. 223 and 224: Makes the verbal corrections proposed by the Senate in the text of the paragraph appropriating \$500,000 for the enforcement of the provisions of the act to protect trade and commerce, approved July 2, 1891.

On No. 225: Appropriates \$20,400, as proposed by the Senate, instead of \$20,100, as proposed by the House, for rent of buildings occupied by the Department of Justice.

On Nos. 226, 227, 228, 229, 230, 231, 232, and 233, relating to judicial officers: Increases the salary of the marshal of the Supreme Court of the United States from \$3,000 to \$3,500; the salaries of the 9 clerks of the circuit court of appeals from \$3,000 to \$3,500 each; strikes out the proposed increase from \$1,200 to \$1,500 of the salary of the reporter of the court of appeals of the District of Columbia, and provides for a crier, at \$900, for that court.

On No. 234: Prohibits payments to employees permanently incapacitated for performing service, as proposed by the Senate, instead of persons incompetent or incapacitated.

The bill as finally agreed upon appropriates \$27,595,953.66, being \$1,165,802.16 more than the appropriations for the current year, \$121,834.50 more than the amount of the bill as it passed the House, \$60,290 less than as it passed the Senate, and \$241,675.16 more than the estimates submitted.

J. A. HEMENWAY,  
L. F. LIVINGSTON,

Managers on the part of the House.

#### NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

#### PUBLIC WORKS, BUREAU OF NAVIGATION.

Naval Academy: The limit of expenditure for the construction of buildings and other necessary improvements at the Academy, as set forth in the act of June 7, 1900, be, and the same is hereby, increased to \$10,000,000. The Secretary of the Navy may modify or alter all plans heretofore authorized covering all buildings and improvements as he may see fit.

Mr. GAINES of Tennessee. Mr. Chairman, I desire to offer an amendment to come in at the end of the paragraph just read.

The Clerk read as follows:

At the end of the pending paragraph insert:

"Provided, That all iron, steel, tools, lumber, oil, paint, and other material to be actually used in erecting said improvements may be imported into the United States free of all duty."

Mr. MUDD. I make a point of order on that amendment, but I am willing to reserve it if the gentleman from Tennessee wants to be heard.

The CHAIRMAN. The point of order will be reserved.

Mr. GAINES of Tennessee. Mr. Chairman, I am very much surprised—and yet in one sense I am not, and I dare say the members of this House are not, if they will think for a moment—at the statement which we find in the RECORD of this morning on page 2312—a quotation from the language of Mr. Moody, Secretary of the Navy, who calls for \$2,000,000 additional appropriation to carry out this work, heretofore contemplated at a cost of \$8,000,000. The reason he states for wanting this additional \$2,000,000 is that the cost of labor and material has increased 30 per cent since the last appropriation of \$8,000,000, passed June, 1900. I will quote briefly the pertinent words of Secretary Moody:

Accordingly these two improvements will not be undertaken without further authority from Congress. But a still more serious question has arisen. The architect in charge of the improvements reports, after careful investigation, that the cost of labor and material to be used in the buildings and improvements not already under contract has increased more than 30 per cent since the original plans were adopted. It has therefore become impracticable to proceed further in the execution of the general plan without largely exceeding the limit of cost prescribed by Congress. No further contracts will be entered into until the subject is submitted to Congress and its will ascertained.

Now, gentlemen, it is plain to me that the Government is being "held up;" the people of the United States are held up by the steel and iron kings in the great work of enlarging our Naval Academy, the school where we educate our boys for the Navy, actually being held up! The Secretary says that he will not undertake the work unless \$2,000,000 additional are given him. I ask that we let down the gap and let whoever bids in this matter have the legal right, which he has not now, to import all of his materials to erect this building free, and thus bring down the price of steel, steel beams, structural iron of all kinds.

Steel rails to-day are selling for about \$28 and the same rail is sold to-day in London at \$23. After paying insurance, traveling expenses, agencies, dockage, wastage, license, all of these extraordinary freight and traveling expenses, the steel and iron kings—trusts, all of them—still ship, and shipped last year \$98,552,562 of



American-made steel and iron products. Where? To free-trade Europe, and sold them in the face of products of the free labor right in the streets of London, and in Berlin and other cities of Europe. Yes, sir; we did all this; paid all those expenses, and successfully met, underbid, and undersold those foreign producers at their own doors; and this is an old story, too.

Mr. Chairman, this will hurt no one, and will help the Government. I hold here, sir, a quotation from the New York Commercial, dated only a few months ago—November 17, 1902—where Mr. Warwick, of Ohio, went to London, and he stated that he had gone there to buy from forty to fifty thousand dollars' worth of steel rails, because he not only could not afford to pay the prices at which the rails in this country were being sold, but that he could not get them at all, and bought them cheaper in Europe than in the United States.

The article reads:

OBLIGED TO BUY STEEL ABROAD—OHIO ENGINEER, UNABLE TO SECURE MATERIAL HERE, GOES TO EUROPE FOR SUPPLY—HE FINDS IT IN GERMANY—CHARTERS A BRITISH VESSEL AND EXPECTS THE TOTAL COST TO BE CHEAPER.

[Special cable to the Herald.]

The Herald's European edition publishes the following from its correspondent:

LONDON, Wednesday.

The scarcity of steel in the United States in comparison with the demand and the inability of steel concerns to fill orders for quick delivery are driving more structural-steel buyers abroad.

Mr. Warwick, a contracting engineer in Ohio, who was unable to get an order for structural steel filled in the time required by his contract, went to Germany and placed an order there for \$40,000 to \$50,000 worth of material. Then he came to London and chartered a vessel to take it to America.

He expects to have his steel delivered in Ohio cheaper than it would have cost him in the United States.

AMERICANS TO INSTALL RUSSIAN TELEPHONES.

ST. PETERSBURG, November 16, 1902.

An American tender to install underground telephones in the city for 315,000 rubles has been accepted by the authorities. The tender was on lower terms and easier conditions of payment than the offers of other bidders for the work.

Now, here is the Secretary of the Navy, who comes to Congress and says that because the material out of which we are to build this great Naval Academy at Annapolis has risen so in price and labor has risen so in price—because provisions, possibly, have also risen in price—he can not build this great building for his country in order that in time of war our flag may be better protected unless you give him \$2,000,000.

Mr. Chairman, this is not a novel feature of legislation. We have done this before. We did it in the case of the Chicago fire—let in free of duty the material to rebuild and gifts from foreign nations to that terribly stricken people in Chicago in 1871 or 1872. It was done in the case of Boston and in many similar instances in the old days of the Republic. Why, only a few days ago, at the behest of a crying nation, we let down the tariff bars on coal, and to-day coal is teeming into our harbors to relieve our people, although the gentlemen on that side said when they made that report that it would relieve nobody; that they did this to satisfy "the cry of the people!" I have the figures here to show that ship after ship has come into our harbors to bring relief coal to our people, and coal has fallen in price. I ask now that relief be given to not only the American people, but to the Republic as such, to the Secretary of the Navy as such, and thus relieve our Treasury from being held up by trusts and the steel barons of this country.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman wish to be heard on the point of order?

Mr. GAINES of Tennessee. I should like to discuss this matter. It is a very essential amendment, and I should like the indulgence of the House for five minutes.

The CHAIRMAN. Does the gentleman wish to be heard on the point of order? The gentleman from Maryland [Mr. MUDD] makes the point of order that it changes existing law.

Mr. GAINES of Tennessee. Will my friend yield to a question or two?

Mr. MUDD. Certainly.

Mr. GAINES of Tennessee. Does the gentleman not think that the Government is being held up in this matter?

Mr. MUDD. On the point of order? [Laughter.]

Mr. GAINES of Tennessee. Well, now, let us get down among the people a while. Take a visit with me in this matter. Let us stand with the people one time for a change.

Mr. MUDD. Mr. Chairman, I want to be heard on the point of order.

Mr. GAINES of Tennessee. I hope my friend will yield to me. He lives in that neighborhood and I am trying to help his people out of the jaws of the lion and the Republic from the clutches of its infant giant—the trusts.

Mr. MUDD. I never object to the gentleman from Tennessee talking.

Mr. GAINES of Tennessee. I thank the gentleman. The gen-

tleman is always anxious for information and never fails to get it and he will get it now. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for five minutes longer.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to be recognized for five minutes. Is there objection?

There was no objection.

Mr. GAINES of Tennessee. Now, gentlemen, I have already cited you here to Mr. Warwick, of Ohio. He said he had to go to England to get these rails because he could not get them at home and got them cheaper. I have an official report here, and a statement from a Mr. Havemeyer, a gentleman whom I do not know. We all know of him. An expert in such business. He said before the Industrial Commission only a few months back "that steel rails can be produced in the United States for \$15 a ton." They are sent to England and sold, he says. They can be produced for \$15 a ton "and they are worth \$24 a ton." "The reason they are worth \$24 a ton is because the people under the tariff are mulcted for the difference."

The chief of the Bureau of Statistics, in the absence of Mr. Austin, telephoned me a few moments ago at my request that steel rails were to-day selling, according to the New York Iron Age, at \$28 a ton in New York. At the same time, Mr. Chairman, we find that Mr. Schwab said practically the same thing some time since—indeed, I have his word here going to show that. He said he was selling steel rails, which is practically the same thing as steel product of our country, in Europe at \$23, and the same rails were selling here from \$26 to \$28. I will insert the words of both these and other gentlemen.

Mr. Havemeyer said:

Without the tariff, I doubt if we should have dared to take the risk of forming the trust. It could have been done; but I certainly should not have risked all I had, which was then embarked in the sugar business, in a trust unless the business had been protected as it was by the tariff.

Steel rails were exported at the time the steel schedule was under discussion. They were being sent to England and Scotland. They can be produced for \$15 a ton; they are worth \$24 a ton. Now, the reason they are worth \$24 a ton is because the people, under the tariff, are mulcted for the difference. I am not talking about things that are ancient history, I am talking about things that exist. I am not talking as to whether 100 per cent was necessary or not. I am talking about the effect of the tariff to-day, which is the mother of these trusts which are mulcting the people, and there is not a line of it free from this abuse to-day.

Mr. Schwab, May 11, 1901, before this Industrial Commission said:

Q. Is it a fact generally true of all exporters in this country that they do sell at lower prices in foreign markets than they do in the home market?

A. That is true, perfectly true. \* \* \*

Q. Would you say that when business is in a normal condition the export prices are regularly somewhat lower than home prices?

A. Oh, yes; always.

Q. Suppose you take the case of steel rails. Could you give us about the difference between the export and domestic price?

A. I would have to make a guess; I do not know definitely. The export price was about \$23 a ton.

Q. And the price here?

A. Was \$26 and \$28.

Q. At the same time?

A. At the same time.

Mr. Henry W. Lamb, a prominent sheet-metal manufacturer of Boston, testified as follows:

The tariff trusts sell all their goods abroad cheaper than they do here, and this they are enabled to do by the protective tariff. If goods are imported into this country a duty must be paid, which enhances the price; the trusts are therefore able to a certain extent to extort from the consumers here more than they can secure if they sell abroad. They do desire to sell abroad, and they therefore sell abroad at a much lower price than to corresponding consumers in this country.

The sheet-metal industry in this country was growing very rapidly a year or two ago. It has had serious checks in this last year or two owing to the increased price of the sheet steel put up by the combination. Then I must say in domestic trade the effects of this tariff trust and their extortions are even worse than in foreign trade.

Senator KEARNS, Paris, August 23, 1901, said:

My trip satisfies me that the United States can compete successfully with Europe for the world's trade. One big Western State produces more bread-stuffs than an average European nation.

American activity and American business are known in every country in Europe. American shoes, American machinery, clocks, locomotives, etc., are used everywhere. (New York Journal, special cable.)

We pay the freight, pay the insurance, pay the drummer, pay the dockage, pay the local taxes, if there are any, pay everything, and yet we go over to Europe and undersell the products of "pauper labor" that mines the coal and makes the iron which we undersell. We do this with our protected labor, the Republicans would say; but it is brains, ambition, and machinery that does it. And we produce in the United States at such a price that we can undersell this pauper-labor product right at the door of the "pauper" across the ocean. And, as I say, we sold in Europe in 1902 \$98,000,000 in steel and iron products—made in this country—and into the Orient.

Mr. Chairman, heaven knows that this is nothing personally to me. I am here helping my country, helping the Republic as such in insisting on this amendment. If I were to consult my political

possibilities I probably would not make this speech. We are making iron and steel in Tennessee and in Alabama, and the great financiers of that region mostly live right in my city and are my personal friends. But my country first. [Applause.] My friends are as near to me as to any man living, I think, but, Mr. Chairman, the Secretary comes here and says, "I have got to stop work unless you give me two millions more," and why? Because steel has been put up, nails have been put up, lumber has been put up, everything has been put, because we are tied up in a great menagerie of trusts here that the Republican party dare not destroy. [Applause.]

What else do I read from? Mr. Carnegie says that we make the cheapest and best steel in the world, and "the fact that we make the cheapest steel means the cheapest ships, the cheapest machinery, and a thousand and one articles of which steel is the basis." I quote him from the Review of the World's Commerce, 1900, our own publication, sent to Congress by President McKinley and Secretary Hay in 1901.

We are making the cheapest steel and the cheapest iron, and yet we have the dearest building products in this country, so very dear that out of an appropriation of \$8,000,000 we have the Secretary of the Navy coming to us to say: "I am held up to the amount of 30 per cent on \$8,000,000. Help me or I quit work." [Applause.]

The CHAIRMAN. The gentleman from Maryland makes the point of order against the amendment offered by the gentleman from Tennessee that it changes existing law.

Mr. GAINES of Tennessee. That is exactly what we are doing with this bill, Mr. Chairman. We are changing existing law. This whole paragraph changes existing law.

The CHAIRMAN. Does the gentleman wish to be heard on the point of order?

Mr. GAINES of Tennessee. Well, I do not care much about technicalities when they directly or indirectly protect fraud. I want to cut through or break through them to the right. But, Mr. Chairman, this provision itself changes existing law. My amendment is to that provision. It changes the eight-million-dollar limitation, makes it a ten-million-dollar limitation, and gives the Secretary the right to undo the whole project. If the provision is in order, why not this proviso? I concede that it is a debatable question. I hope, however, that my friend will be as anxious to save the Republic from being "held up" in this case as he is to help his own people in local matters here day in and day out, as I know he does. My Maryland! My Maryland! Glorious State! But my whole country first, Mr. Chairman; and I do hope the gentleman will not insist on the point of order.

Mr. MUDD. Mr. Chairman, I wish to say that in my desire to serve my country I am not second to the gentleman, but I am not sure that the gentleman's method of saving it is the correct one. My point of order is not based merely upon the ground that this is new legislation, but upon the further ground that it is not germane to the subject-matter.

Of course there is some new legislation in the paragraph, but that new legislation is authorized by the special rule under which the House is now acting. I do not think I have to argue the question further as to its being both new legislation and not germane. An amendment to the tariff law, which this is, pro tanto, is not germane to an appropriation bill.

The CHAIRMAN. It is very clear to the Chair that this amendment changes a provision of existing law, inasmuch as it repeals in part the present tariff law. Therefore the Chair sustains the point of order.

Mr. GAINES of Tennessee. Mr. Chairman, just a moment.

Mr. HEMENWAY. Mr. Chairman, what paragraph are we on? The CHAIRMAN. Page 32, line 6.

Mr. HEMENWAY. I reserved a point of order on the paragraph commencing with line 3 and ending with line 6.

Mr. FOSS. If the gentleman will withdraw the point of order I will move to strike out the words to which he objects.

Mr. DAYTON. I hope that will not be done.

Mr. FOSS. I understood the point of order to be on the words "to be immediately available."

Mr. DAYTON. I ask the gentleman from Indiana not to make that point of order, for the simple reason that this provision is for temporary quarters at the Academy made necessary by the increase in the number of cadets. While I agree that these words ought ordinarily to go out in an appropriation, yet we want these appointments made as speedily as possible, and in order to provide for them we must commence at once the building of these temporary quarters. There is no chance, in other words, to provide for the extra cadets unless we allow these buildings to be put up during these months. After the 4th of March the appointments can be made, and this bill will not be operative until the 1st day of July. During that period of time these quarters ought to be built. That is certainly a good reason why there should be an exception in this case.

Mr. GAINES of Tennessee. I rise to a point of order.

Mr. DAYTON. I hope the gentleman will not insist upon the point of order.

Mr. GAINES of Tennessee. I should very much like to hear what the gentleman is saying.

Mr. DAYTON. I want to say to the gentleman that if the legislation—

Mr. GAINES of Tennessee. We can not hear what the gentleman says.

Mr. DAYTON. Pardon me just a moment.

Mr. GAINES of Tennessee. Talk just a little bit louder.

Mr. DAYTON. I say, simply, if this—

Mr. GAINES of Tennessee. Talk to the House, and not to your friend over there.

Mr. DAYTON. I want to say to the gentleman that this bill carries a provision for an additional number of cadets, and their appointments can take place after the 4th of March, or as soon as the bill becomes law. In order to take care of them it is necessary to put up temporary quarters. If this proposition to increase the number of cadets does not become law, or is not approved by this House, I want to say to the gentleman that I will ask to strike out this provision or allow it to be reduced. I admit it is subject to a point of order, and if the gentleman insists upon it it will have to go out; but I hope the gentleman will not insist upon it.

Mr. UNDERWOOD. I would like to ask the gentleman a question. [A pause.] Well, if the gentleman does not care to yield to me, I will renew the point of order.

Mr. DAYTON. I am ready to answer a question. I did not hear the gentleman.

Mr. UNDERWOOD. It was a courteous question. I desire to ask the gentleman from West Virginia whether in the hearings or in the report the Secretary of the Navy has stated that he thinks it necessary to have these temporary quarters.

Mr. DAYTON. Oh, yes. And an estimate has come through the Department, and has come from the authorities at the Naval Academy.

Mr. UNDERWOOD. It, then, comes with the authority of the Secretary of the Navy.

Mr. GAINES of Tennessee. I rise to a point of order. I do insist, as the gentleman is explaining an important matter, one which we will be called on to vote upon, that he should speak so that we can hear. I have not heard one word you have said. No one over here has.

Mr. DAYTON. That is a question of the order of the House and of my physical inability. I can not help it.

The CHAIRMAN. Does the Chair understand the gentleman from Alabama to renew the point of order?

Mr. UNDERWOOD. No; I am satisfied.

Mr. DAYTON. I know that this matter ordinarily can be taken care of by the deficiency bill; but it is substantially a new provision; it is a separate provision; it will not be continued in any other appropriation bill. It will not, therefore, cause any difficulty or trouble, such as referred to in other appropriations, and certainly under these circumstances the gentleman will not insist, I hope, on his point of order.

Mr. HEMENWAY. I will ask the gentleman when these new cadets are to be appointed?

Mr. DAYTON. Immediately. The law provides for that.

Mr. HEMENWAY. That is simply a provision upon this bill?

Mr. DAYTON. Yes; it is; and if it does not go through, I say to the gentleman that I shall ask to return to this and reduce this appropriation.

Mr. HEMENWAY. In view of the fact that this appropriation can be taken care of on the deficiency bill should there be legislation passed, I feel I will have to insist upon the point of order.

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman from West Virginia if this amount for this item is not and can not be a part of the ten millions, made by the increase of two millions?

Mr. DAYTON. I did not understand the gentleman's question.

Mr. RICHARDSON of Tennessee. The amendment permitted under the rule brought in by the Committee on Rules allows the limit of expenditure for the construction of buildings and other necessary improvements to be increased to \$10,000,000; that is, from eight to ten millions.

Mr. DAYTON. Yes.

Mr. RICHARDSON of Tennessee. Why is not this next provision, "Building and furnishing additional temporary quarters," etc., provided for within that expenditure?

Mr. DAYTON. It is not provided because every dollar of the ten millions is necessary to complete the buildings according to the plans that have been adopted, and these temporary buildings are simply for the temporary accommodation of these cadets and will be torn down and removed.

Mr. RICHARDSON of Tennessee. If it is necessary to expend



more money there for the same cause, why did you not make it \$10,000,000? Why take two bites at the cherry?

Mr. DAYTON. Why, possibly the gentleman's suggestion has merit. This is under the head of temporary repairs of quarters. These quarters will be torn down and will not be a part of the permanent establishment, and it was placed in this item, which has been a continuing item for repairs.

Mr. RICHARDSON of Tennessee. But the gentleman knows that this is pure legislation in this matter.

Mr. DAYTON. But I want to call attention further to the fact that not a single dollar is appropriated of the ten millions to the permanent improvement of the buildings by this bill.

Mr. GAINES of Tennessee. Mr. Chairman, in addition to what my colleague has just stated, I desire to emphasize this proposition. The gentleman says that this improvement is to be temporary. Indeed, the very words of the paragraph say "temporary quarters;" and yet we propose to take \$60,000 down there and expend it on temporary quarters which they are going to tear down.

We are in the business, it seems, of spending thousands and thousands of dollars here annually and openly, of the public money, to put up "temporary quarters," somewhere, somehow, hire somebody to do it, occupy them but a short time, and before we can get any benefit from the structure we employ somebody at the public expense to tear down the structure—wise, frugal policy that! The very proposition itself, it seems to me, the very words of the paragraph itself, ought to condemn it.

Now, it may be that the quarters desired can and would be used, but we have done so far without these quarters, I do not know how long. Why can not they do without them until they expend this \$10,000,000—until they can put up a magnificent permanent building which will be a credit to our Navy, a credit to our flag, an honor to our country?

Mr. MUDD. Where would you quarter the cadets in the meantime?

Mr. GAINES of Tennessee. Where are you quartering them now? Where did you quarter Dewey, where did you quarter Hobson and all of these men that have grown great in the service of the country? Did you throw away \$60,000 to do that?

Mr. MUDD. We are obliged to tear down some of the quarters that are now occupied before we can proceed to construct the new ones. We can not quarter the cadets on the ground or in the Severn River.

Mr. GAINES of Tennessee. When are you going to construct the new ones?

Mr. MUDD. As soon as Congress authorizes the money to do it with.

Mr. GAINES of Tennessee. Of course you could not do it before, and Congress will make the appropriation at once. It is urged by Secretary Moody, and the rule adopted yesterday by the House in effect means an immediate appropriation to meet an emergency.

Mr. MUDD. Now, Mr. Chairman, I suggest that we strike out the words "to be immediately available."

Mr. DAYTON. Mr. Chairman, confessing the point of order, I offer this as an amendment or substitute.

The Clerk read as follows:

Repairs, Naval Academy: For building and furnishing additional temporary quarters and recitation rooms and for enlarging and furnishing the mess hall, \$60,000.

The CHAIRMAN. The gentleman moves to amend by striking out the words "to be immediately available."

Mr. HEMENWAY. Mr. Chairman, I desire to discuss the amendment for a few moments. I will ask the gentleman from Maryland how much money provided for the new Naval Academy has been expended?

Mr. MUDD. In round numbers about \$5,000,000 is contracted for; I do not know just how much has been expended.

Mr. HEMENWAY. With that amount of money expended, are they unable to take care of the additional number of cadets?

Mr. MUDD. I understand that to be the report that comes to us from the Secretary of the Navy.

Mr. HEMENWAY. It strikes me that with \$5,000,000 expended, and the limit of increase put at \$10,000,000, that there ought to be no occasion for the expenditure of \$60,000 to take care of the additional number of cadets.

Mr. DAYTON. It will require two years to build the headquarters, and while they are building they can not be occupied.

Mr. HEMENWAY. How long have they been building?

Mr. DAYTON. About a year on the cadet headquarters—possibly six or eight months.

Mr. HEMENWAY. How many cadets will be added?

Mr. DAYTON. The number will be substantially doubled.

Mr. HEMENWAY. How many have you there now?

Mr. DAYTON. We have 405, and the vacancies will run it up to about 480.

Mr. HEMENWAY. Then there will be added about 500?

Mr. DAYTON. Yes.

Mr. HEMENWAY. Can not you rent buildings outside?

Mr. DAYTON. You can not go outside of the grounds, for the midshipmen are under the control of the Government and must be on the reservation.

Mr. HEMENWAY. You think in addition to the \$10,000,000 that it requires \$60,000 for temporary quarters?

Mr. DAYTON. It is absolutely necessary to have temporary quarters; you can not conduct the school without them.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from West Virginia [Mr. DAYTON].

The amendment was agreed to.

The Clerk read as follows:

Naval training station, California (buildings): Extension of new wharf (to be immediately available), \$4,250; in all, \$4,250.

Mr. HEMENWAY. Mr. Chairman, I reserve the point of order on this section.

Mr. FOSS. Mr. Chairman, I move to strike out the words "to be immediately available."

Mr. HEMENWAY. Then I withdraw the point of order.

The amendment was agreed to.

The Clerk read as follows:

In all, public works, Bureau of Navigation, \$296,250.

Mr. SULZER. Mr. Chairman, as a friend of the American Navy and as an advocate of a naval policy that will ere long make it possible for our Government to have one of the best and one of the greatest navies in all the world, I desire at this time to send to the Clerk's desk and have read a letter from the secretary of the New York Board of Trade and Transportation, forwarding to me certain resolutions unanimously adopted by that body on the 4th day of February, 1903. I ask the Clerk to read the letter and the resolution.

The Clerk read as follows:

NEW YORK BOARD OF TRADE AND TRANSPORTATION.

New York, February 6, 1903.

Hon. WM. SULZER,  
House of Representatives, Washington, D. C.

DEAR SIR: The New York Board of Trade and Transportation has adopted the resolutions herewith, favoring the increase of the strength of the United States Navy, and will thank you to present the document to the House of Representatives.

Very truly, yours,

FRANK S. GARDNER, Secretary.

ROOMS OF THE NEW YORK BOARD OF TRADE

AND TRANSPORTATION, 203 BROADWAY,

New York, February 4, 1903.

At the regular monthly meeting of the New York Board of Trade and Transportation held this day the following resolution, was unanimously adopted, viz:

"Resolved, The New York Board of Trade and Transportation earnestly recommend that the Congress of the United States take immediate measures to secure a naval strength in both ships and personnel commensurate with our requirements and such as will be fully adequate to meet every possible contingency which may arise from our present or future position as a world power, thus insuring ample protection to our commerce, preserving our dependencies from molestation, and commanding respectful observance of our national policies. President Roosevelt in his message says: 'A good Navy is not provocative of war. It is the surest guaranty of peace.' Secretary of the Navy Moody in his report says: 'What would have been an adequate Navy some years ago is totally inadequate for the performance of our duties growing out of our new possessions in the Pacific and Atlantic and the determination of Congress to construct a canal across the Isthmus.'"

A true copy.

[SEAL.]

Attest:

OSCAR S. STRAUSS, President.

FRANK S. GARDNER, Secretary.

Mr. SULZER. Mr. Chairman, the resolutions just read were unanimously adopted by one of the largest and most important commercial bodies of the city of New York. They speak for themselves. I concur in them, and I am pleased to present them at this time to this House and have them spread upon the records of Congress.

And now, Mr. Chairman, just a few words more. I am gratified to see that this naval appropriation bill carries out the idea expressed in these resolutions; and I think the gentleman from Illinois, the chairman, and his associates on the Committee on Naval Affairs justly entitled to our congratulations and the thanks of the people of the country for having prepared and presented a bill which substantially carries out our present naval policy. This country needs and must have a great navy. We need a navy adequate to enforce the Monroe doctrine, should it ever be assailed; a navy big enough to protect our commerce and our long line of seacoast in case of war; a navy great enough to make our flag respected on every sea, and a navy formidable enough to insure our peace when we want peace.

The American people take a just pride in their Navy. They have every reason to be proud of it—to be proud of its past, to be proud of it now, and to be proud of its future. The Navy is one of America's greatest institutions—a bulwark of defense, a mighty engine of offense—and should be liberally supported by Congress for all its wants by generous appropriations. Every dollar spent

on the Navy is just so much money expended for insurance against war. A better investment could not be made. We must all stand by the Navy. The most unthinking individual in the country realizes how important it is for the Government to have a strong, a great, and a mighty navy. We have a larger and more vulnerable seaboard than any other country in the world. We will soon, I believe, have a great merchant marine. We have great cities of immense wealth, of commerce, and of property, the value of which is incalculable, all along our seacoasts. They must and should be protected, and they can not be better protected, better safeguarded, than by a modern, a powerful, and an efficient navy. Our naval programme must be up to the times. Our naval policy should be progressive and always ahead of any other country in the world. In this way only can we maintain our supremacy as the greatest commercial and industrial nation on earth. [Applause.]

The Clerk read as follows:

Naval hospital, Washington, D. C.: The erection and completion of new buildings for the accommodation of the United States naval hospital. Washington, D. C., on the grounds belonging to the United States Naval Museum of Hygiene, \$125,000: *Provided*, That the Secretary of the Navy be, and is hereby, authorized, in his discretion, to sell and convey the plot of land and buildings thereon, known as the United States naval hospital, Washington, D. C., situated at Ninth street and Pennsylvania avenue SE., in the city of Washington, D. C., to the highest bidder at public sale, and, after deducting the expenses incident to said sale, he shall pay into the Treasury of the United States, to the credit of the naval hospital fund, the net amount received from said sale: *Provided further*, That the Secretary of the Navy shall have the right to reject any and all bids.

Mr. HEMENWAY. I reserve a point of order on the paragraph just read.

Mr. LESSLER. Mr. Chairman, the Surgeon-General of the Navy was before our committee and made a very earnest plea to us that a new hospital be built in Washington for the use of the Navy. At his request two of us visited the present naval hospital, right near here on Pennsylvania avenue. We went through it from basement to roof. We found it to be an old building about 40 years old, looking out upon three streets, with the noisy street cars running in front of it. The hospital—an old mansion—is badly adapted for the purposes of a hospital. It shows the constant use it has had. It furnishes very poor provision for taking care of the physicians who are in charge of that hospital. Its plumbing is old.

If you go to the top floor, you get the odor of the cooking going on down in the basement. The inmates are poorly provided for. There is but one room for sick officers. It is desired to build a new hospital upon ground at the other end of the city in a pleasant location.

I suppose the gentleman's point of order is directed against the provision authorizing the Secretary of the Navy to locate this new building on a plot of ground designated, and to put into the naval hospital fund the money accruing from the sale of the property now occupied. We looked into this question also. I want to say, in the first place, that this disposition of the money corresponds exactly with what was done when the new hospital was built at Brooklyn, N. Y.

We felt that the money to accrue from the sale of this old property here should go to the benefit of the naval hospital fund rather than into the Treasury of the United States. We felt that the naval hospital fund should receive this money and use it rather than have it go back to the Treasury, while the Department, if it needed money, must wait upon Congress.

Sir, there is no provision in this bill that is more necessary than this provision for the erection of a new naval hospital in Washington. I want on this floor to commend the administration of the present Surgeon-General of the Navy. He is moderate in his requests to the committee. He is always ready with a reason why his requests should be granted.

This question has been carefully investigated by the committee, and I think that no provision can be more necessary than this which looks to caring for our sick and ailing sailor boys. They should be taken care of in modern buildings, with modern sanitation, with modern methods of conducting a hospital, instead of being placed in that old building, sending out its foul smells, right in the heart of the city of Washington. I hope the gentleman from Indiana will not insist on his point of order.

The CHAIRMAN. Will the gentleman from New York [Mr. LESSLER] inform the Chair whether there is now a hospital on the ground of the Naval Museum of Hygiene.

Mr. LESSLER. No; there is not a hospital there. But the land is owned, I understand, by the Government. I read from page 5 of the hearings before the committee:

The CHAIRMAN. Where is that?

Referring to the site selected for the new hospital.

Admiral RIXEY. At the foot of Twenty-third street, near the river. There we have water communication with the navy-yard and ship. It is an ideal site for a hospital. It is high, well shaded, with beautiful trees. The Secretary of the Navy has inspected the hospital and proposed site for the

new hospital, and has strongly expressed himself in favor of the new hospital.

The CHAIRMAN. There is a museum up there now, is there not?

Admiral RIXEY. Yes, sir.

The CHAIRMAN. A museum of hygiene?

Admiral RIXEY. A museum of hygiene and medical school.

The CHAIRMAN. And this property belongs to the Navy Department?

Admiral RIXEY. It belongs to the Navy Department.

The CHAIRMAN. And is under the jurisdiction of the Navy Department?

Admiral RIXEY. We had 13 acres, and the Marine-Hospital Service got 5 acres for the establishment of a laboratory, more for the investigations than anything else. We have only about 8 acres left, and we want to use that before it is gotten away from us entirely.

Evidently this property belongs to the Navy Department? There is now a naval museum there, and the provision in this bill is simply an addition to the present facilities of the Department for training young surgeons.

Mr. BUTLER of Pennsylvania. It is a part of the establishment.

Mr. LESSLER. I want to say about the school of instruction, this is a supplement. They have that right there. The young officers or surgeons who come into the Navy are shown the requirements of the naval service, the filling out of reports, looking after the service, and are trained there from four months to a year. On page 6 there is one thing to which I forgot to call the attention of the Chair. Admiral Rixey goes into the question of the naval museum, its present location, the scope of its work, and all about it, if the Chair desires any further information on that.

The CHAIRMAN. Will the gentleman please send the report to the Chair?

Mr. LESSLER. Certainly.

Mr. HEMENWAY. Mr. Chairman, I desire to be heard before the Chair rules.

The CHAIRMAN. The Chair will hear the gentleman. The Chair is quite ready to rule unless the gentleman desires to be heard.

Mr. HEMENWAY. In reply to the statement that the hospital is necessary, a proposition comes from the Army for a hospital, and I see no reason why the Army and Navy should not have a hospital together. Why have two separate institutions? Why should they be maintained at a large expense to the Government? I can not understand any reason for it, and I make the point of order.

Mr. BUTLER of Pennsylvania. Mr. Chairman, did I understand the Chair to say that he is prepared to rule?

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania.

Mr. BUTLER of Pennsylvania. But, if the Chair has already concluded—

The CHAIRMAN. The Chair is still open to argument.

Mr. BUTLER of Pennsylvania. Will the Chair permit me to ask another question?

The CHAIRMAN. With pleasure.

Mr. BUTLER of Pennsylvania. As to whether the Chair is sufficiently open to argument that anything I might say would change the mind of the Chair? [Laughter.]

The CHAIRMAN. Very possibly. If the Chair should rule at present, he would sustain the point of order. The Chair is ready to hear argument on the other side.

Mr. BUTLER of Pennsylvania. I do not think I have anything to say on the proposition. The burden would be greater than I should be able to assume. I think.

Mr. MUDD. Mr. Chairman, I am not especially familiar with this matter myself, but I understand that the land on which the hospital is proposed to be built is land now owned by the Government, under the Navy Department. If that be the fact, and I think it is conceded, the rulings upon similar questions heretofore have been against the point of order. I can not put my hand on any decision just now, but I recall several instances where there was a question of similar character raised, and where it was settled that the land was owned by the Government, under the Navy Department, it was held that the construction of the building was merely the carrying out of the ordinary business of building up the Navy establishment, and that the language providing for its construction was within the purview of the exception in clause 2 of Rule XXI, which permits appropriations for "public works and objects already in progress" to be carried in general appropriation bills.

The CHAIRMAN (Mr. GILLET of Massachusetts). The decisions are undoubtedly contradictory upon appropriations for buildings upon Government land. The decisions which allowed buildings to be ordered at West Point and at Annapolis by an appropriation bill, it seems to the Chair, have gone to the verge of the law in that direction, and the gentleman who gave the elaborate decision allowing the erection of quarters at Annapolis indicated that he would rule in conformity with what he considered the more numerous precedents rather than as logic required. It seems to the Chair that the rule should not be further strained,



and that unless this paragraph comes clearly within these decisions the point of order should be sustained.

In those cases the buildings were to carry out the direct purpose for which the land and buildings there were already being used. This proposition goes a step further, and, instead of being for the direct purpose for which the land is now used, diverts it to another purpose, for there is now no hospital there. It seems to the Chair like the case recently decided, where an appropriation for barracks at a navy-yard was ruled out of order, and like the case last year on this Navy appropriation bill, where an appropriation for a laboratory building at Annapolis was held subject to a point of order. The Chair thinks those precedents cover this case, and that logic is upon the same side, and therefore sustains the point of order.

The Clerk read as follows:

Building on land owned by the Government, Annapolis, Md.: Bureau of Steam Engineering: For a building to be used as an experiment station and testing laboratory in the department of marine engineering and naval construction (to cost not to exceed \$250,000), \$250,000. For the complete equipment of this building with all the necessary appliances and apparatus as an experiment station and testing laboratory, \$150,000.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from North Carolina offers the following amendment.

The Clerk read as follows:

Insert in line 2, page 49, after the word "construction," the words "at the Naval Academy."

Mr. WILLIAM W. KITCHIN. Mr. Chairman, the purpose of this amendment is to have this building to be erected for the Bureau of Steam Engineering as an experiment station and testing laboratory erected at the Naval Academy. I will state to the committee that this item carries an appropriation of \$400,000, and since the building is to be erected at Annapolis, on ground owned by the Government, in my opinion it should be a part of the Naval Academy, and especially should this be the case since this committee has increased the limit of cost of the Naval Academy from \$8,000,000 to \$10,000,000.

Now, with this increase of \$2,000,000, it seems to me that we ought to make this testing laboratory a part of the Naval Academy, and that its expense, \$400,000, carried by this item, should be included in the total expense of the Naval Academy, the \$10,000,000. And I will state that if this amendment is adopted, inserting the words—

At the Navy Academy—

In line 2, page 49, I shall then tender the following amendment:

Insert in line 6, page 49, after the word "dollars," the following: "In all, \$400,000, which shall be included in the limit of expenditure for the Naval Academy."

With that explanation I hope the gentleman from Maryland [Mr. MUDD] will not resist this amendment, since the expenditure for the Naval Academy has been so liberally increased.

Mr. MUDD. Mr. Chairman, I do not believe that the House should take anything away from the Naval Academy that it has already unanimously given to it. It is true that the House has dealt very liberally with the Naval Academy, and that we have to-day increased the limit of cost of the necessary buildings there from \$8,000,000 to \$10,000,000; but I assure this House that the Secretary, and everyone connected with the Naval Academy who has presented any figures to us upon this subject-matter, are of the opinion that it will require every dollar that we have provided in that \$10,000,000 for the construction of buildings that are essentially a part of that Academy as laid out and planned.

I do not believe that we can safely take back \$400,000 out of the \$10,000,000 that the House has already voted and divert it to the construction of a building which is not in any proper sense any part of the academy at all. I know that the training to which the building is to be devoted is a part of the general course of instruction in the Navy, but I think that anyone who will read the hearings on this matter will agree with me when I say that such training, such instruction is no part of the four years' course of studies marked out for the cadets before the entrance upon their service upon the sea. Now, furthermore, one word—

Mr. WILLIAM W. KITCHIN. Will the gentleman yield for one interruption?

Mr. MUDD. Yes.

Mr. WILLIAM W. KITCHIN. Can the gentleman tell me what part of the buildings already planned have been contracted for—approximately?

Mr. MUDD. In round numbers, about \$5,000,000.

Mr. WILLIAM W. KITCHIN. As I recollect the testimony, the only testimony as to the necessity for increasing this was to the effect that labor and materials had gone up something like 30 per cent, I believe.

Mr. MUDD. Not only that labor and materials have gone up, but as the committee thought it was better to continue the buildings yet to be erected of granite and not of brick.

Mr. WILLIAM W. KITCHIN. That is right, but I think the Secretary also stated that the fact of materials having gone up would only affect those buildings not yet contracted for.

Mr. MUDD. I apprehend that is true.

Mr. WILLIAM W. KITCHIN. Which would be \$3,000,000.

Mr. MUDD. I apprehend that is so.

Mr. WILLIAM W. KITCHIN. So 30 per cent on those remaining to be contracted for would not be a million dollars, which would allow a margin of more than \$500,000, after completing this testing laboratory out of the \$10,000,000.

Mr. MUDD. The increase in material, it should be said, will affect one very important building which is already contracted for. It will be seen in the hearings that the cadet quarters occupy a central position between the buildings which are already constructed, and will be the most important of all the buildings in the Academy. That building has been constructed of granite up to the first story, and we have just arrived at that point now where we can substitute granite for brick, and all of us agree, I think, that that is very desirable to do.

Mr. VANDIVER. Will my friend yield for a question?

Mr. MUDD. Yes.

Mr. VANDIVER. Is it not a fact that the original recommendation upon this testing laboratory was to the effect that it should be a part of the Naval Academy, located at Annapolis?

Mr. MUDD. No; never has been.

Mr. VANDIVER. I am quite sure it was so considered.

Mr. MUDD. And wrongly considered, and I will say to the gentleman from Missouri that so far was that from the fact that when it was proposed to put this in the bill last session, to come out of the \$8,000,000, a point of order was made against it and it went out of the bill on the ground, if I recollect aright, that it was new legislation.

Mr. VANDIVER. I am aware of that.

Mr. MUDD. Now, I do not want to argue this further than to say it will be found from the itemized statement made by the Secretary of the Navy himself, and filed with the committee and printed in the hearings, that every single dollar of this \$10,000,000 will be taken up in buildings other than this. If we take this \$400,000 out of the \$10,000,000, some of the buildings that are needful, that are authorized and already planned, possibly some contracted for, will have to be abandoned, and I hope this committee, sooner than take this out of the \$10,000,000, will strike it out of the bill entirely. The fact of it is that this building is so far from being any essential part of the Naval Academy that at one time the gentleman will recall a proposition was made to insert the provision in the bill, making the appropriation and authorization, but left the location at the discretion of the Secretary of the Navy.

Mr. VANDIVER. Mr. Chairman, I remember quite well the discussion to which the gentleman from Maryland refers, and I remember also in that connection one of the reasons given for leaving it discretionary and not locating it specifically at Annapolis was, that if it were so done the amount would have to come out of the \$8,000,000 then fixed as the limit of cost for the work for the Naval Academy, whereas it was desired by the gentleman and others that it should not come out of that. Therefore the plan was to leave it in a general way to be fixed afterwards by the Secretary of the Navy, with the expectation that he would settle upon Annapolis as the location for it.

Furthermore, I wish to say in my judgment the chief reason and the best reason that can be given for the establishment of this testing laboratory is that it is to furnish a sort of supplementary course, in the nature of a postgraduate course, for the instruction of naval cadets; and that being the case, it seems to me that it is quite important that it should be located at Annapolis. Furthermore, I am still of the opinion, if it is left in the discretion of the Navy Department to be located, to be settled after this appropriation is made, that it will be located at Annapolis.

Therefore now the only question is whether it shall be specifically located there, and the cost of it to come out of the \$10,000,000 now fixed as the total limit, or whether it shall be left indefinite and the cost of \$400,000 afterwards to be added to the \$10,000,000. I do not wish to discuss the question as to whether or not the \$10,000,000 is a sufficient amount; but in my humble judgment it is not only sufficient, but it is more than sufficient.

Mr. WILLIAM W. KITCHIN. Will the gentleman from Missouri yield for a question?

Mr. VANDIVER. Certainly.

Mr. WILLIAM W. KITCHIN. On page 7 of the hearings, No. 8, I find this:

The CHAIRMAN. Our next item is "Building at Naval Academy, Annapolis, Md., for Bureau of Steam Engineering: For a building to be used as an experiment station and testing laboratory."

Showing that it was in the draft of the bill as a part of the Naval Academy.

Mr. VANDIVER. It was in the draft of the bill and in the original recommendations, and I thank my friend from North Carolina for refreshing my memory as to that point in the hearings.

Mr. HEMENWAY. Mr. Chairman, I move to strike out the section as an amendment to the motion of the gentleman from North Carolina. There seems to be a disagreement among the members of the committee themselves as to whether this amount was to be included in the amount of \$10,000,000. It was my understanding it was to be included, or I should have made the point of order against it.

Now, the gentleman from Maryland states that if this item is included, other valuable buildings will have to be left out. In view of that fact, and in view of the fact that this limit has been fixed at \$10,000,000, which is a very liberal appropriation for the Annapolis school and gives them a magnificent building, in view of the disagreement of this committee as to what this provision meant, I believe it ought to come within the \$10,000,000, and if it is left to the Secretary of the Navy he may provide such buildings as he thinks are necessary, and if this building is necessary within the limit of ten millions the Secretary of the Navy has the right to construct it.

The gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] states that this building can be constructed within the limit of \$10,000,000 and then \$100,000 be left. If that is true, it does not require this provision to authorize the Secretary of the Navy to build this building. He can build it if he stays within the \$10,000,000 limit. I think the members should vote to strike this provision out and keep the limit within the \$10,000,000.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I have always thought that Congress has been disposed to be liberal in making appropriations for improvements at Annapolis. I remember when this House fixed the limit for these improvements four years ago, and when the Senate, in the same bill, increased that limit to \$8,000,000. We have been informed by the highest authority connected with the Navy Department that these buildings can not be completed upon the plans laid down four years ago; that it will require an additional expenditure of \$2,000,000 to complete the buildings on the designs and plans already made.

This is an additional building. If the appropriation of one hundred and fifty or two hundred and fifty thousand dollars should be taken from the appropriation of \$10,000,000, it is as sure as anything can be calculated that the plans originally made for these improvements at Annapolis can not be carried out, and therefore I submit to the House that it would not be fair to reduce that appropriation of \$10,000,000, specifically made for that purpose, according to the designs laid down by the Secretary of the Navy three or four years ago. It would ruin the plan to shorten that appropriation by taking from it one hundred and fifty or two hundred and fifty thousand dollars.

Mr. HULL. Will the gentleman yield?

Mr. BUTLER of Pennsylvania. I should be delighted to yield to the gentleman.

Mr. HULL. I would like to ask the gentleman if it is possible on this bill to limit the amount that could be paid to the architect for this additional amount. I understand the authorities have already agreed on 5 per cent of the \$8,000,000, the plans already drawn up, and under that agreement, if no limitation is made here, the architect will get 5 per cent on this two millions as well. Is it possible to get a limit on this?

Mr. BUTLER of Pennsylvania. I wish I could answer the gentleman's question. I would be perfectly willing to vote in favor of a limitation upon the fees to be charged by the architect at Annapolis. I do not know whether the fees can be limited. I think, however, Mr. Chairman, the question of fees has always been left to the Secretary of the Navy. I am sure that he is well paid, however.

Mr. GAINES of Tennessee. Will the gentleman yield?

Mr. BUTLER of Pennsylvania. Certainly.

Mr. GAINES of Tennessee. I am informed that the commission is usually settled through the customary charge of 5 to 10 per cent. Who is this architect at Annapolis?

Mr. BUTLER of Pennsylvania. I believe the architect is a New York architect, who bears the name of Flagg, spelled with two g's. I do not know his first name.

Mr. GAINES of Tennessee. Where does he live?

Mr. BUTLER of Pennsylvania. I do not know. He is said to do business in New York. I wish to say, however, that he has a magnificent reputation, and there can be no exception taken to the man's designs or his work.

Mr. GAINES of Tennessee. Does the gentleman from Pennsylvania think Congress can not limit the amount of fees to be paid to this architect when the Secretary himself can limit it? Can the Secretary of the Navy do something that Congress can not? The Secretary of the Navy can not do anything unless Congress authorizes or orders him to do it.

Mr. BUTLER of Pennsylvania. If the gentleman will make his question a little more definite I will be glad to answer it. I suppose the Secretary has some discretionary power, but, of course, Congress has power supreme, and I suppose has the right to limit the fees of the architect.

Mr. GAINES of Tennessee. I am informed that the architect of the work in and about the White House received a commission of 5 and 10 per cent on \$600,000 or nearly \$700,000.

Mr. BUTLER of Pennsylvania. I do not know anything about that; I was neither consulted nor informed.

Mr. DAYTON. Mr. Chairman, I hope the motion to strike this appropriation for this building out of the bill will not prevail. I hope the amendment will not be made to it making it a part and parcel of the Naval Academy appropriation for the simple reason that this building is not part and parcel of the Naval Academy establishment. When we passed the naval personnel bill and abolished the corps of engineers we took a step further in advance than any nation on earth in that direction. And if there be a weakness in the Navy to-day it is in the difficulty of preparing our officers to properly take care of the engineering department, the engineering work in the Navy.

This is not a building for the training of midshipmen. It is a building and an institution for the purpose of experimenting and testing all the many questions that spring up in marine engineering. It may be utilized for advanced study in marine engineering, but if that course is to be given it will be given to our officers after they have graduated from the Academy. This is simply in line with the school that has been established by the German nation, and which has been found to be of such great advantage to the German navy. In fact, I undertake to say that the German Empire would rather dispense with almost any other institution than its school of engineering at Charlottenburg.

This, as I have said, has nothing to do with the Naval Academy. It has been located at Annapolis by the committee for two reasons: First, because the Government has the land there; second, in order that the midshipmen there may have the benefit of observing the experiments that may be carried on there. Attendance upon such experiments will not be made incumbent on the midshipmen. If anyone is to be instructed there, it will be our engineer officers.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I am conscious of having made many mistakes in my life, but I am not conscious at this time of having ever made a greater mistake than when I assisted in abolishing the old time-honored and distinguished Engineer Corps of the Navy. Back in the Fifty-fifth Congress we made a determined effort, which was successful, when we amalgamated the line and the staff. By that action we took from the Navy what was, in my judgment, one of its most useful branches, the Engineering Corps. By the personnel act we required that all men who entered the Navy should become engineers as well as fighting men—known as line men. From what I can learn but few men care to become engineers. Most men prefer to perform line duties. From information which I regard as good and valuable I believe that this work has not been kept up to the high degree of efficiency which distinguished it when there was a distinct and separate corps, known as the Engineer Corps.

It is proposed by the establishment of this building at Annapolis to provide a distinct place for this instruction of all young men entering the Navy and enable them to comply with the provision of the act of Congress and become engineers—become efficient in the profession of engineering, so that hereafter when any of our great ships upon the sea require the services of men of engineering skill, any of these men may be able to lend the assistance which men trained in engineering can afford.

We considered in the Committee on Naval Affairs the importance of this building. It is a beginning, not of more buildings, but in my judgment the beginning of a policy under which the Navy Department will insist on requiring that all men entering the Navy shall become proficient in the art of engineering. I sincerely hope that the committee will sustain this provision. [Applause].

Mr. LESSLER. Mr. Chairman, probably the pleasantest thing in legislation is to be connected with great enterprises in which the country is of course interested. It is a fine thing to build battle ships, but the things that go to make up a battle ship and to raise up those who can man the battle ships consist of the planning and the hard work that is not done in the great open public life.

Mr. Chairman, we have heard a great deal about the German navy. I should be glad if I had the opportunity to give gentlemen here a complete idea of what that great school at Charlottenburg has done for the German navy. For instance, a year ago we made an appropriation of \$20,000 for investigating liquid air. That was a separate appropriation. But if we had this engineering and testing school for our boys who are studying to



build and man our Navy, those young men could be doing work for which we have heretofore made a specific appropriation.

Then there is again the great question. What is a good boiler? In building a battle ship we study to put in it boilers of the right capacity, and we investigate whether one method or another is best in the construction of those boilers. But matters like this would not be questions of mere speculation with the far-reaching Germans, nor will they be with our American naval officers when this school has been established—this adjunct to our Naval Academy.

When this institution for engineering education shall be established we shall have a corps of men capable of examining, testing, experimenting with our boilers, competent to go into questions of the strength of metals, the power of resistance, and everything of that sort necessary to be considered when we are building a great ship. Our young men trained in engineering will be competent to run every part of a battle ship and to understand thoroughly everything required for the running of the great engines that we are to build.

The great school in Germany is crowded with students coming from all parts of the world. To-day the great United States Government, when it wants service such as these trained men will be able to render, must go to some private institution or corporation and appeal to it to help out the great United States of America—this "ninety-billion-dollar country" with its 80,000,000 people; it must go to some private concern to find out whether a new boiler is proper to be introduced and used. When we shall have built this new school, this adjunct to the Naval Academy, we shall have our own Charlottenburg, and students from Europe will come to us in the United States of America to learn what a boiler or an engine should be.

Mr. HEMENWAY. Mr. Chairman, there is absolutely nothing in my motion that prevents the construction of this building. We have raised the limit for the construction of buildings at Annapolis to \$10,000,000. The Secretary of the Navy under that limit can construct this building if he wants to. As stated by the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN], he can construct this building and then have \$100,000 left of the appropriation of \$10,000,000.

It strikes me that if the gentlemen act in good faith, as I believe they desire to act in good faith, after this limit has been raised to \$10,000,000, additional appropriations would not be run in here to the extent of \$400,000. The Secretary of the Navy has complete power to construct this building if it is a part of the naval school down there and a part of the Naval Academy, and if what the gentleman from New York [Mr. LESSLER] says is true, and I have no doubt it is, and what the gentleman from Pennsylvania [Mr. BUTLER] says is true, I have no doubt that the Secretary of the Navy will construct this building out of the \$10,000,000.

Mr. LESSLER. Mr. Chairman, I would ask the gentleman if he has read our hearings on the question of additions to the Naval Academy?

Mr. HEMENWAY. I have not; but a member of the committee states on the floor here, and I have not heard the statement denied, that there is enough money to keep within this limit of \$10,000,000 to construct this building and have \$100,000 still left.

Mr. DAYTON. Oh, I do not think that is true.

Mr. HEMENWAY. He has made that statement.

Mr. LESSLER. I do not think the gentleman has made that statement.

Mr. HEMENWAY. I have no doubt the gentleman will confirm his statement.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, if the gentleman will permit me, here is my statement. As I recollect the testimony before us it was that the reason they could not finish their plans within the \$8,000,000 limitation was because there had been an increase in the cost of material and labor amounting to about 30 per cent, and that this would affect all the buildings that had not already been contracted for.

The gentleman from Maryland [Mr. MUDD] made an estimate to me just now on the floor, that in his judgment \$5,000,000 worth had been contracted, which would leave two and a half millions or three millions uncontracted for. There has been a contingency fund reserved, so that there will be two and a half millions more contracted, and 30 per cent on two and a half millions would be \$750,000.

Mr. MUDD. Thirty per cent upon \$3,000,000 is about right.

Mr. WILLIAM W. KITCHIN. That would be \$900,000, which would leave over a million of dollars surplus.

Mr. MUDD. Something exceeding 30 per cent, it was generally stated.

Mr. HEMENWAY. Then, in place of having money enough to construct this and \$100,000 left over, according to the statement of the gentleman from North Carolina, we would have a half million dollars left which the Secretary of the Navy could use.

Mr. DAYTON. Oh, no.

Mr. RIXEY. Mr. Chairman, here is what the Secretary of the Navy says on the subject in regard to those \$2,000,000:

Now, as I understand it, you can take the original plan, without alterations, and in the light of conditions, as they exist to-day, taking into account what we have already exceeded the estimates, and taking into account what we are compelled to exceed them on account of the increase in cost of materials, it will take \$2,000,000 over the limit to complete.

That is according to the plans which he then had, and this building was not included in those plans.

Mr. BUTLER of Pennsylvania. That is right.

Mr. HEMENWAY. The gentlemen seem to be unable to agree on this matter.

Mr. MUDD. May I interrupt the gentleman a moment?

Mr. HEMENWAY. I yield.

Mr. MUDD. It is true there will be about \$500,000 left, not contemplated and set aside for specific buildings, but it is to provide for a contingent fund which past experience has shown is almost as necessary as money for a specific building. The Secretary of the Navy asked for it, and there are contingencies arising from time to time that can not be foreseen.

Mr. HEMENWAY. That comes right back to the original proposition.

Mr. MUDD. If you want to eat up the contingent fund, you can do it.

Mr. HEMENWAY. That comes back to the original proposition, that there is \$500,000 provided for in this limit of ten million more than the Secretary has plans and specifications to carry out.

Mr. MUDD. If we make the purchases of land as Congress has already authorized us to do, we will have to pay for that out of this \$500,000.

Mr. HEMENWAY. And the construction of this building is only to cost \$250,000.

Now, further than that, we have a Committee on Public Buildings and Grounds in this House. Is it right to come in here and provide for the construction of new buildings on an appropriation bill? I am free to say that if I had not understood that this building came within the limit of \$10,000,000—and my information came from members of the committee—I should have made a point of order against it.

It has no business in this bill. It belongs with the Committee on Public Buildings and Grounds, and it is vicious legislation; and when we put this kind of legislation upon an appropriation bill, we invite the gentlemen at the other end of the Capitol to violate the rules. We have been complaining here, when conference reports come back, that the rules of both House and Senate have been violated. We complained of that only a short time ago.

The time of Mr. HEMENWAY having expired, by unanimous consent it was extended three minutes.

Mr. HEMENWAY. We complained a few minutes ago, upon a conference report returned here by the gentleman at the head of the Committee on Military Affairs [Mr. HULL], that the rules of the House had been violated, that the rules of the Senate had been violated, and we refused to concur in a conference report and sent those gentlemen back to conference again; and are we going to follow up that action here in the House, within two hours after we have turned down a conference report for that reason, and put upon this bill an item for the construction of a new building, taking jurisdiction away from our Committee on Public Buildings and Grounds and turning it over to the Committee on Naval Affairs?

If the House performs in that line, if we vote down the motion I have made to strike out this provision, how, then, are we going to contend, when the conference reports come back, that the Senate has violated the rules of the House and the rules of the Senate by putting items on an appropriation bill before they are authorized by legislation? The House can not afford to put itself in that position. Here, only two weeks before this session closes, when we shall have to fight these items from now on the balance of the session, we can not afford to put ourselves in the position of agreeing to this proposition and violating our own rules.

I sincerely hope that the House will take into consideration the far-reaching effect of this action, the effect it will have upon our action that is to follow, and that it will sustain my motion to strike this provision from the bill.

Mr. TAYLER of Ohio. Mr. Chairman, in the first place, it has rarely, if ever, been the policy of Congress to provide for the building of Army and Navy structures through the intervention of the Committee on Public Buildings and Grounds, and the provision for this building is in exact accord with the history of legislative precedent.

But I think, Mr. Chairman, that for the last two weeks I must have been asleep and dreaming, for I have thought that within the last week or ten days an appropriation bill coming from the Committee on Appropriations, of which I think my friend from

Indiana [Mr. HEMENWAY] is a member—not the Committee on Public Buildings and Grounds—has carried on its face, and carried there by operation of a threatened rule, a provision for an immense extension of this great Capitol building, and for a magnificent and stupendous office building. [Applause.]

Mr. HEMENWAY. Will the gentleman yield?

Mr. TAYLER of Ohio. With pleasure.

Mr. HEMENWAY. It was not in violation of the rules of the House, but in conformity with the rules of the House; and the rule was passed by a majority of the House voting for it, just as a majority of the House voted for a rule to extend this limit to \$10,000,000; and the Committee on Naval Affairs ought to keep within that limit of \$10,000,000 and not go beyond it.

Mr. BUTLER of Pennsylvania. But should that legislation have come from the Committee on Public Buildings and Grounds?

Mr. HEMENWAY. It did not come from the Committee on Appropriations, and was not reported by that committee, and was only adopted after the rule had been passed by this House authorizing the chairman of the committee—

Mr. BUTLER of Pennsylvania. I am only asking the gentleman for instruction.

Mr. HEMENWAY. If the gentleman will permit, I will instruct him by saying—

Mr. BUTLER of Pennsylvania. Yes; I want to learn.

Mr. HEMENWAY. That the Committee on Appropriations did not report that item, and that it was not in the bill as reported from the Committee on Appropriations, and was only put in on the floor after a rule had been adopted by a majority of the members of the House authorizing the chairman to offer it.

Mr. TAYLER of Ohio. Did my friend object to it?

Mr. HEMENWAY. Why, certainly not; nor did I object to the rule that permitted the limit of cost on these Annapolis buildings to be raised to \$10,000,000.

Mr. TAYLER of Ohio. Now, Mr. Chairman, I am very glad indeed to hear my friend admit that he is a member of the Committee on Appropriations. We do know that I was not dreaming, and that an appropriation bill from the Committee on Appropriations did provide for this business.

Mr. HEMENWAY. Mr. Chairman, if the gentleman will permit, I again insist that the gentleman has not yet been informed. The appropriation bill reported from that committee did not provide for it, and it was not reported from that committee.

Mr. TAYLER of Ohio. Well, then, let us get it this way, because I want it just the way the gentleman wants it.

Mr. HEMENWAY. No; you want it right.

Mr. TAYLER of Ohio. No; I want it your way.

Mr. HEMENWAY. You will get it right, then, when you get it my way.

Mr. TAYLER of Ohio. The bill was reported from the Committee on Appropriations, and then a member of this committee, ordinarily entirely without influence on this floor [laughter], the chairman of that committee [Mr. CANNON], proposed two amendments, which, I venture to say, produced a condition of paralysis in this House that it has not known for twenty-five years.

They all believed in the propriety of the amendment or motion of that chairman. But it was like a bolt out of a clear sky when it came from that source. Now, to say that it was put upon that bill upon the motion of a member of the committee after it came into the House is not at all to distinguish it from the position I first laid down. The fact is that a measure was passed with a vast appropriation for a building which was carried in another than a bill from the Committee on Public Buildings and Grounds. The Secretary of the Navy—

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. I ask that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. The gentleman from West Virginia asks that the time of the gentleman from Ohio may be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. STEPHENS of Texas. Will the gentleman permit me to ask him a question?

Mr. TAYLER of Ohio. Certainly.

Mr. STEPHENS of Texas. I raised the point of order against those two buildings contained in those amendments, and the point of order was sustained by the Chair, and afterwards the gentleman was supplied in some way with a rule, which he immediately enforced. [Laughter.]

Mr. BUTLER of Pennsylvania. Where did he get it?

Mr. TAYLER of Ohio. I am glad to have that cumulative testimony. [Laughter.] I do not suppose it ever occurred to the chairman of the Committee on Appropriations until the instant that the point of order was made that a rule would ever be needed.

Mr. STEPHENS of Texas. He certainly apprehended it would be needed, or he would not have had it on hand.

Mr. TAYLER of Ohio. I see I will have to blue print my

humor. [Laughter.] Now, the Secretary of the Navy, who was for many years under the tutelage of the same chairman of the Committee on Appropriations here, obtained and justified his reputation for economic administration of public affairs and the economic expenditure of public money, and I know that no public duty relating to the expenditure of money has laid with greater gravity upon his conscience and judgment than this question of the increase in the amount that should be available for this great improvement at Annapolis.

He comes before the committee and presents through them to the House his statement, that I have confidence in—that I think every member of this House has confidence in—that the allowance of \$10,000,000 for this improvement is less generous than the \$8,000,000 was assumed to be when originally made. So much for that.

Now, this matter for the testing laboratory is entirely independent of the Naval Academy, and was intended originally to be independent of it. So far as Admiral Melville was concerned, and so far as anybody else connected with the Navy Department was concerned, it was immaterial where it was to be put. In the first instance it was thought it was to be put at some other place, but in the later consideration of it we thought it had better be at Annapolis. We have that situation.

The Secretary of the Navy insists upon the original plan as proposed. I do not mean the detailed plan, but the general plan, of the Naval Academy, requiring the expenditure to be fixed at not less than \$10,000,000. That is an entirely different proposition from this provision that we have now under consideration. The amendment ought to be voted down. [Applause.] [Cries of "Vote!"]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I do not think the motion of the gentleman from Indiana ought to prevail. We are face to face with this question, and it seems to me that if we insert "at the Naval Academy" and come within the limit, that this paragraph ought to remain. If gentlemen will read the testimony of the Department, they will believe this building ought to be erected. There may be some question as to whether it should be erected at a navy-yard or at the Academy, but there is no question that Congress ought to settle this matter if we are to have the building. Now, to adopt the motion of the gentleman from Indiana you will permit the Department to confine itself to the original plans and not construct this building.

Now, if you strike this paragraph out, I think you will be indicating your willingness to have this building not constructed. If you want this building constructed, and do not want to require it in connection with the Naval Academy nor to be included in the limit of expenditures for the Academy, why, then, keep this section just as it is. If you want it to go into that expenditure and be a part of the Naval Academy, then you ought, in my judgment, to vote down the amendment of the gentleman from Indiana, and merely insert the words "at the Naval Academy." I will read what Admiral Melville said on this subject. The chairman said:

Where are you going to find the site for this at Annapolis?

Mr. MUDD. What page are you reading from?

Mr. WILLIAM W. KITCHIN. This is on page 13, on steam engineering, speaking about this very building:

The CHAIRMAN. Where are you going to find the site for this at Annapolis? Admiral MELVILLE. We have a site all laid out, right on the water. You can not bar us on that. It will perhaps require a little grading, and the material which they are now taking and dumping over there in the swamps would be just the thing. You remember where the steam building is; you go right out the front door of the steam building and you come to the little building where they generate the current for lighting the houses, and 50 yards from that you walk right into the water; that is about the location.

The CHAIRMAN. Do the Naval Academy people want it at the Naval Academy down there?

Admiral MELVILLE. Our friend, Captain Wainwright, is very much in favor of it. He told me that he was, and encouraged me; and Secretary Long was enthusiastic over it.

Mr. DAYTON. Is it not true that as they want it provided for it will be appropriated for as an independent provision, but not as a part of the \$8,000,000 lump?

Admiral MELVILLE. That was the only opposition made to it; that is, they did not want this appropriation to come out of the building fund they have now—\$8,000,000. At first we thought that we would be able to work that in with the \$8,000,000, but as they wanted to make use of all that money and they could put up the buildings as they desired, they put it on me to get this out of Congress, and I want it and strongly recommend it.

So it seems to me that it ought to be at the Naval Academy, and ought to be a part of it, and it is for Congress to say whether they want it to come within the ten-million-dollar limit. If we want it to come within the \$10,000,000, support the amendment I have offered, inserting "at the Naval Academy," for, as I have said, if this is adopted, I shall at once offer the other amendment requiring this building to be within the limit.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN].

Mr. MUDD. Mr. Chairman, does not the question come first on the amendment offered by the gentleman from Indiana?



The CHAIRMAN. No; on the amendment offered by the gentleman from North Carolina.

The question was taken; and on a division there were—ayes 54, noes 72.

So the amendment was lost.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Indiana.

The question was taken and the amendment was lost.

The Clerk read as follows:

The grades of the active list of the Navy hereinafter designated shall be so increased that there shall be 30 additional lieutenant-commanders, in all 200; 50 additional lieutenants, in all 350; such total numbers of lieutenants (junior grade) and ensigns as may qualify for said grades under existing law and the provisions of this act; 30 additional surgeons with the rank of lieutenant-commander, in all 85; 120 additional passed assistant and assistant surgeons, with the rank, respectively, of lieutenant and lieutenant (junior grade), in all 230; 2 additional pay inspectors, in all 15; 30 additional paymasters, in all 76; 26 additional passed assistant and assistant paymasters, in all 96; 29 additional naval constructors and assistant naval constructors, in all 75; 1 additional civil engineer, in all 28; and 12 assistant civil engineers, of whom 6 shall have the rank of lieutenant (junior grade) and 6 the rank of ensign: *Provided*, That assistant civil engineers, during the first five years after date of appointment, shall receive, per annum, when on duty, \$1,500, when on leave or waiting orders, \$1,000; during the second five years after such date, when on duty, \$1,800, when on leave or waiting orders, \$1,200; and after ten years from such date, when on duty, \$2,100, and when on leave or waiting orders, \$1,400; *And provided further*, That promotions in the corps of civil engineers shall be after such examination as the Secretary of the Navy may prescribe.

Mr. CANNON. Mr. Chairman, it seems to me that from line 19, on page 54, to and including line 6, on page 59, ought to be treated as one paragraph.

Mr. FOSS. Mr. Chairman, it all relates to the increase of the personnel of the Navy, and I ask that it be read and considered as one paragraph.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that it be considered as one paragraph. Is there objection? [After a pause.] The Chair hears none.

The Clerk proceeded with the reading of the bill, and read to and including line 6, on page 59.

Mr. FOSS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to; accordingly the committee rose, and the Speaker having resumed the chair, Mr. GILLET of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House bill 17288, the naval appropriation bill, and had come to no resolution thereon.

#### ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5389. An act granting an increase of pension to Jasper N. Acree;  
S. 5359. An act granting an increase of pension to Hampton B. Farmer;  
S. 4140. An act granting an increase of pension to James O'Neill;  
S. 4807. An act granting an increase of pension to Emmet C. Hill;  
S. 4443. An act granting an increase of pension to Thomas Bassett;  
S. 4812. An act granting a pension to Addison Arnold;  
S. 4854. An act granting a pension to Cassius Fisher;  
S. 4892. An act granting an increase of pension to John Doberer;  
S. 4919. An act granting an increase of pension to James M. White;  
S. 4922. An act granting an increase of pension to Andrew C. Smith;  
S. 5006. An act granting a pension to Annie P. Pinney;  
S. 5020. An act granting a pension to Emma D. Gaslin;  
S. 5040. An act granting an increase of pension to Stephen G. Cole;  
S. 5053. An act granting a pension to Deborah Edwards;  
S. 4806. An act granting an increase of pension to Frank A. Olney;  
S. 5117. An act granting an increase of pension to John U. Allen;  
S. 5055. An act granting an increase of pension to Mary E. Phillips;  
S. 5123. An act granting an increase of pension to James McMorrow;  
S. 5205. An act granting a pension to Grace E. Ash;  
S. 5215. An act granting an increase of pension to Thomas L. Smith;  
S. 4123. An act granting a pension to Eliza Gallagher;  
S. 4702. An act granting an increase of pension to Ephraim Cunningham;  
S. 4466. An act granting an increase of pension to Archibald McIntire;  
S. 4752. An act granting an increase of pension to Betsey Jones;

S. 4544. An act granting an increase of pension to Phineas L. Squires;  
S. 4607. An act granting an increase of pension to Oliver G. Wright;  
S. 4760. An act granting an increase of pension to John Hamilton, 2d;  
S. 4656. An act granting an increase of pension to Orlando S. Osborn;  
S. 2974. An act granting an increase of pension to Samuel J. Boyer;  
S. 3020. An act granting an increase of pension to Eliza E. Littlefield;  
S. 3081. An act granting an increase of pension to Leonard A. Norton;  
S. 3174. An act granting an increase of pension to Fredericka W. Lillman;  
S. 3405. An act granting an increase of pension to William H. Bonslaugh;  
S. 3249. An act granting an increase of pension to Charles W. Scherzer;  
S. 3542. An act granting an increase of pension to William H. Shaw;  
S. 3568. An act granting an increase of pension to John P. Travis;  
S. 3573. An act granting an increase of pension to John P. Post;  
S. 3574. An act granting an increase of pension to Henry R. Bennett;  
S. 3608. An act granting an increase of pension to Alphonso T. Gould;  
S. 3632. An act granting an increase of pension to Frank E. Freeman;  
S. 3645. An act granting an increase of pension to Simeon Deno;  
S. 3912. An act granting an increase of pension to John T. Deweese;  
S. 3803. An act granting an increase of pension to Philip Caslow;  
S. 4023. An act granting an increase of pension to Almon J. Houston;  
S. 4029. An act granting a pension to Mary J. Parker;  
S. 4087. An act granting a pension to Lemuel Kingsbury;  
S. 4239. An act granting an increase of pension to Oscar H. Prink;  
S. 4287. An act granting an increase of pension to David N. Tolles;  
S. 4305. An act granting an increase of pension to Daniel G. Towle;  
S. 4337. An act granting an increase of pension to Elizabeth Thompson;  
S. 4359. An act granting a pension to John S. Milam;  
S. 4379. An act granting an increase of pension to George Davis;  
S. 4429. An act granting a pension to Alvira Randall;  
S. 1335. An act granting a pension to Elizabeth Neal;  
S. 1550. An act granting an increase of pension to Flavius Shanks;  
S. 1631. An act granting an increase of pension to Edna K. Hoyt;  
S. 1738. An act granting an increase of pension to Thomas Doyle;  
S. 1873. An act granting an increase of pension to Hilar D. Davis;  
S. 1939. An act granting an increase of pension to John M. Drake;  
S. 1914. An act granting an increase of pension to Elbert Chittum;  
S. 2007. An act granting a pension to Mary A. Everts;  
S. 2111. An act granting an increase of pension to William Kepler;  
S. 2114. An act granting an increase of pension to Sarah B. Barger;  
S. 2130. An act granting a pension to Margaret A. Munson;  
S. 2259. An act granting a pension to Sarah J. Snook;  
S. 2302. An act granting a pension to Rose O. Crummett;  
S. 2363. An act granting an increase of pension to James A. Capen;  
S. 2439. An act granting an increase of pension to Richard A. Larimer;  
S. 2591. An act granting an increase of pension to George W. McComb;  
S. 2596. An act granting an increase of pension to Israel F. Barnes;  
S. 2626. An act granting an increase of pension to Ardenia Dillen;

S. 3929. An act granting an increase of pension to Lemon A. Brace;  
 S. 5507. An act granting an increase of pension to Jarrat F. Rigg;  
 S. 2799. An act granting an increase of pension to Israel V. Hoag;  
 S. 2860. An act granting an increase of pension to Henderson Mercer;  
 S. 2936. An act granting an increase of pension to Berthold Fernow;  
 S. 1166. An act granting an increase of pension to Charles W. Calby;  
 S. 1227. An act granting an increase of pension to Bowman H. Peterson;  
 S. 2256. An act granting an increase of pension to Andrew J. Pennell;  
 S. 1194. An act granting an increase of pension to Thomas J. George;  
 S. 1128. An act granting an increase of pension to Lyman Matthews;  
 S. 1168. An act to authorize the appointment of Edward L. Baily as captain of infantry, United States Army, and to place him on the retired list;  
 S. 966. An act granting an increase of pension to William Y. Turner;  
 S. 4184. An act granting an increase of pension to Timothy Laughlin;  
 S. 1043. An act granting an increase of pension to Harriet Hatch;  
 S. 533. An act granting an increase of pension to Merritt Young;  
 S. 14. An act granting an increase of pension to George F. Howe, alias Harrington; and  
 S. 699. An act granting an increase of pension to Franklin Chase.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bill of the following title:

H. R. 16915. An act authorizing the commissioners' court of Escambia County, Ala., to construct a bridge across Conecuh River at or near a point known as McGowans Ferry, in said county and State.

#### ENROLLED BILLS SIGNED.

Mr. WACHTER also, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 12508. An act granting an increase of pension to James Jones;

H. R. 17247. An act granting a pension to Mary H. Rumble;

H. R. 15767. An act to authorize Washington and Westmoreland counties in the State of Pennsylvania to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania; and

H. R. 9063. An act to refund certain taxes paid by the Anheuser-Busch Brewing Association, of St. Louis, Mo.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and concurrent resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3635. An act to provide for the purchase of a site and the erection of a public building thereon at Oregon City, in the State of Oregon—to the Committee on Public Buildings and Grounds.

S. 3214. An act to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes—to the Committee on Indian Affairs.

S. 7051. An act to extend the limit of cost for the United States post-office building at Marblehead, Mass.—to the Committee on Public Buildings and Grounds.

S. 4115. An act granting a pension to Judson E. Walker—to the Committee on Invalid Pensions.

#### Senate concurrent resolution 69:

*Resolved by the Senate (the House of Representatives concurring), That there be printed 2,000 copies of the report of the War Department on the receipts and expenditures in Cuba during its occupation by the United States, 1,000 copies for the use of the House of Representatives, 750 copies for the use of the Senate, and 250 copies for the use of the War Department—*

*to the Committee on Printing.*

#### Senate concurrent resolution 68:

*Resolved by the Senate (the House of Representatives concurring), That there be printed in English and Spanish 1,500 copies of the civil orders issued during the occupation of Cuba by the United States, 1,000 copies for the use of the House of Representatives, 500 copies for the use of the Senate, and 200 copies for the use of the War Department—*

*to the Committee on Printing.*

#### Senate concurrent resolution 67:

*Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 copies of the English translation of the proceedings of the Cuban constitutional convention, 1,700 copies for the use of the House of Representatives, 1,200 copies for the use of the Senate, and 100 copies for the use of the War Department—*

*to the Committee on Printing.*

And then, on motion of Mr. Foss (at 5 o'clock p. m.), the House adjourned until to-morrow at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Thomas F. McCarthy, administrator of estate of Henry Covert, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Melville Currence, administrator of estate of William H. Currence, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Attorney-General, transmitting the report of the court under an act to protect the interests of the United States in the Potomac Flats—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting, with a communication from the Attorney-General, a copy of the final decree of the court in the case of the United States against Morris et al.—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. COOMBS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 261) providing for the establishment of a life-saving station in the vicinity of Cape Flattery, or Flattery Rocks, on the coast of Washington, reported the same without amendment, accompanied by a report (No. 3804); which said bill and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 6848) to establish a life-saving station at Cape Nome, Alaska, reported the same without amendment, accompanied by a report (No. 3805); which said bill and report were referred to the House Calendar.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17358) to authorize the construction of a bridge across the Missouri River between the city of Chamberlain, in Brule County, and Lyman County, in the State of South Dakota, reported the same without amendment, accompanied by a report (No. 3806); which said bill and report were referred to the House Calendar.

Mr. STEWART, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17418) to authorize the construction and maintenance of a dam across the Kansas River within the counties of Shawnee and Wabaunsee, in the State of Kansas, reported the same without amendment, accompanied by a report (No. 3807); which said bill and report were referred to the House Calendar.

Mr. RICHARDSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17332) to authorize the Brunswick and Birmingham Railroad Company, a corporation, to construct and operate a bridge across the Chattahoochee River at or near the city of Eufaula, Ala., reported the same with amendment, accompanied by a report (No. 3808); which said bill and report were referred to the House Calendar.

Mr. DAVEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17390) to authorize the construction of a bridge across Bogue Chitto River, in the parish of Washington, State of Louisiana, reported the same without amendment, accompanied by a report (No. 3809); which said bill and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17417) to provide for the construction of a bridge and approaches



thereto across the Missouri River at or near Council Bluffs, Iowa, reported the same with amendments, accompanied by a report (No. 3810); which said bill and report were referred to the House Calendar.

Mr. COOMBS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 6535) providing for the construction of light-house and fog-signal stations in Alaskan waters, reported the same without amendment, accompanied by a report (No. 3811); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BURGESS: A bill (H. R. 17455) making Texas City, Tex., a subport of entry—to the Committee on Ways and Means.

By Mr. MANN: A bill (H. R. 17456) to provide for a public building at South Chicago, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. UNDERWOOD: A bill (H. R. 17457) to give credit to officers in the Army for services rendered in Cuba—to the Committee on Military Affairs.

By Mr. NORTON: A bill (H. R. 17458) to provide that the Washington, Potomac and Chesapeake Railroad Company may extend its tracks in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CANDLER: A concurrent resolution (H. C. Res. 90) for printing 239,000 maps of the United States—to the Committee on Printing.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. MADDOX: A bill (H. R. 17459) granting an increase of pension to David Blalock—to the Committee on Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 17460) granting a pension to Jay P. Livermore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17461) granting an increase of pension to Frederick J. Fairbrass—to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 17462) to divest title out of the United States and vest same in R. W. Allen & Co. to west half of southeast quarter, section 34, township 24 north, range 25 east, standard Southern meridian, in Chambers County, Ala.—to the Committee on the Public Lands.

By Mr. WACHTER: A bill (H. R. 17463) for the relief of Patrick J. Philbin—to the Committee on Naval Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 17464) granting a pension to Nancy Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17465) granting a pension to Sarah A. Tanquary—to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Post No. 59, Grand Army of the Republic, of McKeesport, Pa., protesting against the erection of a statue of Gen. Robert E. Lee in the Capitol or any other Government building in the city of Washington—to the Committee on the Library.

Also, resolutions of Philadelphia Association of Union ex-Prisoners of War, asking for additional pension legislation—to the Committee on Invalid Pensions.

By Mr. BARTLETT: Resolution of Lodge No. 12, Boiler Makers and Iron Ship Builders' Union, of Macon, Ga., indorsing the proposed eight-hour law—to the Committee on Labor.

By Mr. BOWERSOCK: Petitions of citizens of Osawatimie, Kans., in favor of Senate bill 909, providing for the extension of the free mail delivery service—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Petitions of the Pittsburg Cigar Company and of the R. & W. Jenkinson Company, Pittsburg, Pa., favoring the passage of a bill to amend section 3394 of the Revised Statutes, relating to tobacco—to the Committee on Ways and Means.

By Mr. HAMILTON: Resolutions of C. Colgrove Post, No. 166, of Marshall, Mich., Grand Army of the Republic, General R. A. Alger Camp, No. 11, National League of Veterans and Sons, Detroit, Mich., and 92 soldiers and sailors of Charlotte, Mich., in support of House bill 17103, permitting the payment of the value

of public lands to persons entitled to make entry upon such lands in certain cases—to the Committee on the Public Lands.

By Mr. LONG: Resolution of the Bookbinders' Union No. 23, of Topeka, Kans., for the repeal of the desert-land law—to the Committee on the Public Lands.

Also, paper to accompany House bill 7830, granting a pension to John M. Blanpied—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 17349, granting an increase of pension to William N. Reed—to the Committee on Invalid Pensions.

By Mr. PALMER: Resolution of Conyngham Post, No. 97, Grand Army of the Republic, Wilkesbarre, Pa., in support of House bill 6709, for the care of monuments, etc., on the Bull Run battlefield—to the Committee on Military Affairs.

By Mr. PAYNE: Petition of the First Presbyterian Church of Ontario, N. Y., for the passage of a bill to protect no-license towns and States against nullification of prohibition by interstate-commerce tricks—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill 17410, granting a pension to Jane E. Sutfin—to the Committee on Invalid Pensions.

By Mr. REEDER: Petition of Methodist Episcopal Church conference of Phillips County, Kans., to prohibit liquor selling in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. THOMPSON: Petition of retail druggists of Tuskegee and Notasulga, Ala., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. WILCOX: Petitions of 606 voters of Honolulu, Hawaii, for the enactment of a law to provide the Hawaiian citizens with homesteads from the public lands in Hawaii—to the Committee on the Territories.

Also, petitions of 455 voters of Honolulu, for the enactment of a law transferring all Territorial lands for the purposes of counties, towns, and municipalities—to the Committee on the Territories.

Also, petitions of 370 voters of Honolulu, for the enactment of a law transferring the care and maintenance of the leper settlement of Kalaupapa, Molokai, to the Federal Government; also to make it a leper reservation for the United States and Hawaii alone—to the Committee on the Territories.

Also, resolution of the Home Rule Party of the Territory of Hawaii, commending and urging the speedy enactment by Congress of certain recommendations made by the subcommittee of the Senate Committee on the Pacific Islands and Porto Rico—to the Committee on the Territories.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill for the relief of Patrick J. Philbin—to the Committee on Naval Affairs.

Also, papers to accompany House bill granting a pension to Nancy Franklin—to the Committee on Pensions.

#### SENATE.

THURSDAY, February 19, 1903.

The Senate met at 11 o'clock a. m.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

ESTATE OF AUGUSTUS H. KILTY, DECEASED.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Allan McSherry, administrator de bonis non of Augustus H. Kilty, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

DAVID H. TRIVOU.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of David H. Trivou v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

Mr. COCKRELL. I present a joint resolution of the general assembly of the State of Missouri, relative to granting additional powers to the Interstate Commerce Commission. I ask that the